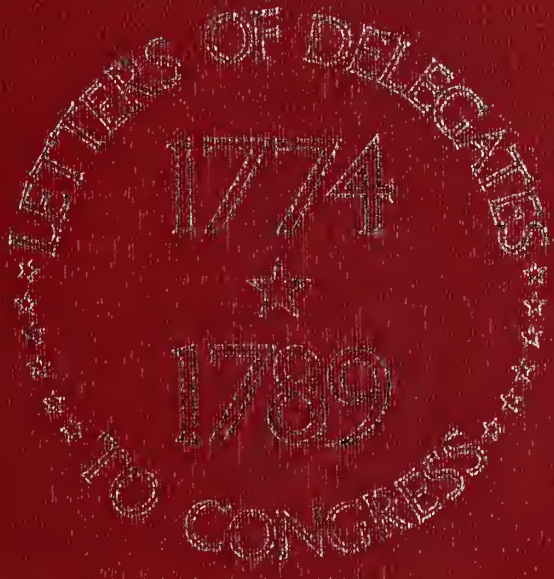

LETTERS OF DELEGATES
1774
1789
TO CONGRESS

PART

DELAWARE



A SKETCH

of the

NORTHERN PARTS

of

NEW JERSEY

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1781

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LETTERS OF DELEGATES TO CONGRESS 1774–1789

22

November 1, 1784–November 6, 1785

Paul H. Smith, Editor

Ronald M. Gephart, Associate Editor

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Editorial Method and Apparatus

In its treatment of documents this edition of delegate letters strives to achieve a middle ground between facsimile reproduction and thorough modernization. The original spelling and grammar are allowed to stand except where editorial changes or insertions are required to make the text intelligible. Words omitted through oversight, however, have been supplied at appropriate places in italic type in brackets, and obvious slips of the pen and inadvertent repetitions are usually silently corrected. Capitalization and punctuation have been standardized according to certain conventions. Each sentence begins with a capital letter, as do all proper and geographic names as well as days of the week and months of the year. Doubtful cases have been resolved in favor of modern usage; otherwise the usage of the original texts has been followed. Generally, abbreviations, contractions, and monetary signs are preserved as they appear in manuscript except when they are ambiguous or misleading. On the other hand, the thorn and the tilde are consistently expanded. "Ye" always appears as "The," for instance, and "rẽcvd" as "received." Likewise, "pr." and tailed *p's* are always expanded to "per," "pre," or "pro," as the case demands. Finally, superscript letters are always lowered to the line.

Gaps in the text are indicated by ellipses in brackets for missing words and by blank spaces in brackets for missing numbers. Conjectural readings are supplied in roman type in brackets, and editorial insertions in italic type in brackets. Material canceled in manuscript but restored to the printed text is included in italic type in angle brackets ("square parentheses"). Marginalia in letters are treated as postscripts if not obviously keyed to the body of the document, and postscripts which appear without explicit designation are supplied with a *P.S.* in brackets. Documents are arranged chronologically, with more than one document of the same date arranged alphabetically according to writer. Documents dated only by the month or by the year are placed at the end of the respective month or year. Place-and-date lines always appear on the same line with the salutation regardless of their position in the manuscript.

A descriptive note at the foot of each entry provides abbreviations indicating the nature and location of the document when it was copied for this project, except for privately owned manuscripts whose ownership is explained. The descriptive note also contains information on the document's authorship if explanation is necessary, and endorsements or addresses are quoted when they contain more than routine information. Other editorial practices employed in this work are explained in the sections on editorial apparatus which follow.

TEXTUAL DEVICES

The following devices will be used in this work to clarify the text.

[. . .], [. . . .]	One or two words missing and not conjecturable.
[. . .] [1], [. . . .] [1]	More than two words missing; subjoined footnote estimates amount of material missing.
[]	Number or part of a number missing or illegible.
[] [1]	Blank space in manuscript; explanation in subjoined footnote.
[roman]	Conjectural reading for missing or illegible matter; question mark inserted if reading is doubtful.
[*italic*]	Editorial insertion in the text.
⟨*italic*⟩	Matter crossed out in manuscript but restored.

DESCRIPTIVE SYMBOLS

The following symbols are used in this work to describe the kinds of documents drawn upon. When more than one symbol is used in the descriptive note, the first to appear is that from which the main text is taken.

RC	recipient's copy
FC	file copy
LB	letterbook copy
MS	manuscript
Tr	transcript (used to designate not only contemporary and later handwritten copies of manuscripts, but also printed documents)

LOCATION SYMBOLS

The following symbols, denoting institutions holding the manuscripts in the present volume, are taken from *Symbols of American Libraries,* 14th ed. (Washington: Library of Congress, 1992). Each volume of this edition will contain a revised list.

CSmH	Henry E. Huntington Library, San Marino, Calif.
CtHi	Connecticut Historical Society, Hartford
CtY	Yale University, New Haven
DLC	Library of Congress
DLC(ESR)	Library of Congress, Early State Records Collection
DNA	National Archives and Records Administration
DeHi	Historical Society of Delaware, Wilmington
ICHi	Chicago Historical Society
ICU	University of Chicago
IMunS	Saint Mary of the Lake Seminary, Mundelein, Ill.

InU–Li	Lilly Library, Indiana University, Bloomington
M–Ar	Massachusetts Archives, Boston
MB	Boston Public Library, Boston
MBU	Boston University, Boston
MH–H	Harvard University, Houghton Library, Cambridge
MHi	Massachusetts Historical Society, Boston
MNS	Smith College, Northampton, Mass.
MSaE	Essex Institute, Salem, Mass.
MWA	American Antiquarian Society, Worcester, Mass.
MdAA	Maryland Hall of Records, Annapolis
MdHi	Maryland Historical Society, Baltimore
MeHi	Maine Historical Society, Portland
MiU–C	William L. Clements Library, Ann Arbor, Mich.
MCooHi	New York State Historical Association, Cooperstown, N.Y.
NHi	New-York Historical Society, New York
NHpR	Franklin D. Roosevelt Library, Hyde Park, N.Y.
NIC	Cornell University, Ithaca, N.Y.
NN	New York Public Library, New York
NNC	Columbia University, New York
NNPM	Pierpont Morgan Library, New York
Nc–Ar	North Carolina State Department of Archives and History, Raleigh
NcD	Duke University, Durham, N.C.
NcU	University of North Carolina, Chapel Hill
Nh–Ar	New Hampshire Division of Archives and Records Management, Concord
NhHi	New Hampshire Historical Society, Concord
NjHi	New Jersey Historical Society, Newark
NjMoHP	Morristown National Historical Park, Morristown, N.J.
NjP	Princeton University, Princeton, N.J.
NjR	Rutgers University, New Brunswick, N.J.
OClWHi	Western Reserve Historical Society, Cleveland, Ohio
PHC	Haverford College, Haverford, Pa.
PHarH	Pennsylvania Historical and Museum Commission, Harrisburg
PHi	Historical Society of Pennsylvania, Philadelphia
PP	Free Library of Philadelphia
PPAmP	American Philosophical Society, Philadelphia
PPC	College of Physicians of Philadelphia
PPIn	Independence National Historical Park, Philadelphia
PPL	Library Company of Philadelphia
PPRF	Rosenbach Foundation, Philadelphia
PWacD	David Library of the American Revolution, Washington Crossing, Pa.
R–Ar	Rhode Island State Archives, Providence
RPB	Brown University, Providence

RPJCB	John Carter Brown Library, Providence
ScCoAH	South Carolina Department of Archives and History, Columbia
TxU	University of Texas, Austin
Vi	Virginia State Library, Richmond
ViHi	Virginia Historical Society, Richmond
ViMtvL	Mount Vernon Ladies' Association, Mount Vernon, Va.
VtU	University of Vermont, Burlington

ABBREVIATIONS AND SHORT TITLES

Adams, *Diary* (Butterfield)
Adams, John. *Diary and Autobiography of John Adams.* Edited by Lyman H. Butterfield et al. 4 vols. Cambridge: Harvard University Press, Belknap Press, 1961.

Adams, *Writings* (Cushing)
Adams, Samuel. *The Writings of Samuel Adams.* Edited by Harry A. Cushing. 4 vols. Boston: G.P. Putnam's Sons, 1904–8.

AHR
The American Historical Review

Austin, *Life of Gerry*
Austin, James T. *The Life of Elbridge Gerry, with Contemporary Letters to the Close of the American Revolution.* 2 vols. Boston: Wells & Lilly, 1828–29.

Bio. Dict. of Md. Legis.
A Biographical Dictionary of the Maryland Legislature, 1635–1789. Edited by Edward C. Papenfuse et al. 2 vols. Baltimore: Johns Hopkins University Press, 1979–85.

Bio. Dir. Cong.
U.S. Congress. *Biographical Directory of the United States Congress, 1774–1989.* Washington: U.S. Government Printing Office, 1989.

Bowdoin and Temple Papers (MHS Colls.)
The Bowdoin and Temple Papers. 2 vols. Massachusetts Historical Society Collections, 6th ser. vol. 9; 7th ser. vol. 6. Boston: Massachusetts Historical Society, 1897–1907.

Brunhouse, *Counter-Revolution in Pennsylvania*
Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania, 1776–1790.* Harrisburg: Pennsylvania Historical Commission, 1942.

Burnett, *Letters*
Burnett, Edmund C., ed. *Letters of Members of the Continental Congress.* 8 vols. Washington: Carnegie Institution of Washington, 1921–36.

Cal. of Va. State Papers
Virginia. *Calendar of Virginia State Papers.* Edited by William P. Palmer. 11 vols. Richmond: 1875–93; reprint ed., New York: Kraus Reprint Corp., 1968.

Collins, *Congress at Princeton*
Collins, Varnum L. *The Continental Congress at Princeton.* Princeton, N.J.: The University Library, 1908.

DAB
Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone.

Dict. of N.C. Biog.
Dictionary of North Carolina Biography. Edited by William S. Powell, 6 vols. Chapel Hill: University of North Carolina Press, 1979–.

Diplomatic Correspondence, 1783–89
The Diplomatic Correspondence of the United States of America, from the Signing of the Definitive Treaty of Peace, 10th September, 1783, to the Adoption of the Constitution, March 4, 1789. 3 vols. Washington: John C. Rives, 1855.

DNB
Dictionary of National Biography. Edited by Sir Leslie Stephen and Sir Sidney Lee.

Evans, *Am. Bibliography*
Evans, Charles. *American Bibliography.* 12 vols. Chicago: Privately printed, 1903–34.
Hamilton,

Hamilton, *Papers* (Syrett)
Hamilton, Alexander. *The Papers of Alexander Hamilton.* Edited by Harold C. Syrett et al. 26 vols. New York: Columbia University Press, 1961–86.

Heitman, *Historical Register*
Heitman, F. B. *Historical Register of Officers of the Continental Army during the War of the Revolution, April, 1775, to December, 1783.* Washington [Baltimore]: Press of Nichols, Killam & Maffitt, 1893.

Hening, *Statutes*
Hening, William W. *The Statutes at Large; Being a Collection of All the Laws of Virginia.* 13 vols. Richmond: J. & G. Cochran, 1809–23.

Henry, *Patrick Henry*
Henry, William Wirt, *Patrick Henry: Life, Correspondence and Speeches.* 3 vols. New York: Charles Scribner's Sons, 1891.

Jay, *Correspondence* (Johnston)
Jay, John. *The Correspondence and Public Papers of John Jay, 1763–1826.* Edited by Henry P. Johnston. 4 vols. New York: G. P. Putnam's Sons, 1890–93.

JCC
U. S. Continental Congress. *Journals of the Continental Congress, 1774–1789.* 34 vols. Edited by Worthington C. Ford, Gaillard Hunt, and John C. Fitzpatrick. Washington: Library of Congress, 1904–37.

Jefferson, *Papers* (Boyd)
Jefferson, Thomas. *The Papers of Thomas Jefferson.* Edited by Julian P. Boyd et al. Princeton: Princeton University Press, 1950–.

King, *Correspondence* (King)
King, Rufus. *The Life and Correspondence of Rufus King.* Edited by Charles R. King. 4 vols. New York: 1894–1900; reprint ed., New York: Da Capo Press, 1971.

Lafayette, *Papers* (Idzerda)
Idzerda, Stanley J. et al., eds. *Lafayette in the Age of the American Revolution: Selected Letters and Papers, 1776–1790.* 5 vols. Ithaca: Cornell University Press, 1977–83.

Lee, *Letters* (Ballagh)
Lee, Richard Henry. *The Letters of Richard Henry Lee.* Edited by James C. Ballagh. 2 vols. New York: Macmillan Co., 1911–14.

Livingston, *Papers* (Prince)
Livingston, William. *The Papers of William Livingston.* Edited by Carl E. Prince et al. 5 vols. Trenton: New Jersey Historical Commission, 1979–88.

Madison, *Papers* (Hutchinson)
Madison, James. *The Papers of James Madison.* Edited by William T. Hutchinson and William M. E. Rachal. Chicago: University of Chicago Press, 1962–.

Morris, *Papers* (Ferguson)
Morris, Robert. *The Papers of Robert Morris, 1781–1784.* Edited by E. James Ferguson et al. Pittsburgh: University of Pittsburgh Press, 1973–.

N.C. State Records
North Carolina. *The State Records of North Carolina.* Edited by Walter Clark. Vols. 11–16. Winston and Goldsboro, N.C.: N. I. and J.C. Stewart et al., 1895–1914.

Pa. Archives
Pennsylvania Archives. 9 series, 119 vols. in 120. Philadelphia: J. Severns & Co., 1852–56; Harrisburg: State Printer, 1874–1935.

Pa. Council Minutes
Pennsylvania. *Minutes of the Supreme Executive Council of Pennsylvania, from its Organization to the Revolution.* 6 vols. [Colonial Records of Pennsylvania, vols. 11–16]. Harrisburg: Theo. Fenn & Co., 1852–53.

PCC
Papers of the Continental Congress. National Archives and Records Administration. Washington, D.C.

PMHB
Pennsylvania Magazine of History and Biography.

PRO
Public Record Office. London

Ramsay, *Writings* (Brunhouse)
Ramsay, David. *David Ramsay, 1749–1815: Selections from His Writings.* Edited by Robert L. Brunhouse. Transactions of the American Philosophical Society, n.s., vol. 55, pt. 4. Philadelphia, 1965.

Rush, *Letters* (Butterfield)
Rush, Benjamin. *Letters of Benjamin Rush.* Edited by Lyman H. Butterfield. 2 vols. Princeton: Published for the American Philosophical Society by Princeton University Press, 1951.

Shipton, *Harvard Graduates*
Shipton, Clifford L. *Biographical Sketches of those who Attended Harvard College.* Sibley's Harvard Graduates. Boston: Massachusetts Historical Society, 1873–.

Spaulding, *New York in the Critical Period*
Spaulding, Ernest Wilder. *New York in the Critical Period, 1783–1789.* New York: Columbia University Press, 1932.

Staples, *Rhode Island*
Staples, William R. *Rhode Island in the Continental Congress, 1765–1790.* Providence: Providence Press Co., 1870.

Susquehannah Co. Papers
Boyd, Julian P., and Robert J. Taylor, eds. *The Susquehannah Company Papers.* 11 vols. Ithaca, N.Y.: Cornell University Press, 1962–71.

Washington, *Papers* (Abbot)
Washington, George. *The Papers of George Washington.* Edited by William W. Abbot et al. Charlottesville: University Press of Virginia, 1981–.

Washington, *Writings* (Fitzpatrick)
Washington, George. *The Writings of George Washington.* Edited by John C. Fitzpatrick. 39 vols. Washington: U.S. Government Printing Office, 1931–44.

Wharton, *Diplomatic Correspondence*
Wharton, Francis, ed. *The Revolutionary Diplomatic Correspondence of the United States.* 6 vols. Washington: U.S. Government Printing Office, 1889.

WMQ
The William and Mary Quarterly, 3d series.

Acknowledgments

This edition began in 1970 as a project of the Library of Congress American Revolution Bicentennial Office, now incorporated into the Library's Manuscript Division as the Historical Publications Office. The Library has had a long tradition of publishing scholarship on the period of the American Revolution. Its monumental edition of the *Journals of the Continental Congress, 1774–1789* (34 vols., Washington, 1904–37) is a predecessor of the present work and will be a companion to it. The editors wish to thank the Ford Foundation for a substantial gift which has been indispensable to the progress of the edition. Our appreciation is also extended to the innumerable individuals who have contributed to enriching the holdings of the Library of Congress to make it the premier institution for conducting research on the American Revolution.

The photocopies of the more than twenty-two thousand documents that have been collected for this project have been assembled through the cooperation of several hundred institutions and private individuals devoted to preserving the documentary record upon which the history and traditions of the American people rest, and it is to their work that a documentary publication of this nature should ultimately be dedicated. Unfortunately, all the many contributors to this collecting effort cannot be adequately recognized, but for permission to print documents appearing in the present volume we are especially grateful to the following institutions: the American Antiquarian Society, American Philosophical Society, Archives du ministère des affaires étrangères (Paris), Boston Public Library, Boston University, John Carter Brown Library, Brown University, Chicago Historical Society, University of Chicago, William L. Clements Library, Columbia University, Connecticut Historical Society, Cornell University, David Library of the American Revolution, Historical Society of Delaware, Duke University, Essex Institute, General Theological Seminary of the Protestant Episcopal Church, Harvard University, Haverford College, Henry E. Huntington Library, Independence National Historical Park, Lilly Library, Indiana University, Maine Historical Society, Maryland Hall of Records, Maryland Historical Society, Massachusetts Archives Division, Massachusetts Historical Society, Pierpont Morgan Library, Morristown National Historical Park, Mount Vernon Ladies' Association, National Archives and Records Administration, New Hampshire Division of Archives and Records Management, New Hampshire Historical Society, New Jersey Historical Society, New-York Historical Society, New York Public Li-

brary, New York State Historical Association, North Carolina Department of Archives and History, University of North Carolina, Pennsylvania Historical and Museum Commission, Historical Society of Pennsylvania, Free Library of Philadelphia, Library Company of Philadelphia, College of Physicians of Philadelphia, Princeton University, Rhode Island State Archives, Franklin D. Roosevelt Library, Rosenbach Foundation, Rutgers University, Saint Mary of the Lake Seminary, Smith College, South Carolina Department of Archives and History, University of Texas, University of Vermont, Virginia Historical Society, Virginia State Library, University of Virginia, Western Reserve Historical Society, and Yale University. And in addition we express our thanks and appreciation to Mr. Creighton C. Hart, Mr. Ronald von Klaussen, Mr. Herbert Klingelhofer, and Mrs. Elsie O. and Mr. Philip D. Sang.

This work has benefitted not only from Edmund C. Burnett's pathfinding 8-volume edition of *Letters of Members of the Continental Congress* but also from the generous cooperation of the editors of several other documentary publications with a common focus on the revolutionary era. From them the Library has borrowed heavily and to them it owes a debt it can never adequately acknowledge. It is a pleasure to give special thanks to the editors of the papers of John Adams, Benjamin Franklin, Thomas Jefferson, Henry Laurens, James Madison, Robert Morris, and George Washington. Finally we owe thanks to the historians who served on the Advisory Committee on the Library's American Revolution Bicentennial Program, and especially to Mr. Julian P. Boyd, Mr. Lyman H. Butterfield, and Mr. Merrill Jensen, who generously acted as an advisory committee for the *Letters* project.

Paul H. Smith
Historical Publications Office
Manuscript Division

Chronology of Congress

NOVEMBER 1784–NOVEMBER 1785

November 1	Convenes at Trenton, two states represented.
November 29	Achieves quorum, seven states represented.
November 30	Elects Richard Henry Lee president.
December 3	Registers commission of Swedish consul Charles Hellstedt; orders redeployment of Fort Stanwix troops to West Point.
December 7	Countermands redeployment of Fort Stanwix troops, who are ordered to Fort Rensselaer.
December 8	Receives Massachusetts and New York agents assembled to select judges for hearing land claim dispute between the two states.
December 11	Rejects motion to adjourn from Trenton; commends the marquis de Lafayette.
December 14	Postpones election of treasury commissioners; directs Benjamin Franklin to delay signing consular convention with France.
December 15	Receives Spanish announcement closing Mississippi River.
December 17	Elects chaplain to Congress; resolves to appoint minister to Spain.
December 20	Overturns decision to create two capitals; appropriates $100,000 for capital buildings.
December 23	Adopts ordinance "for fixing upon a place for the residence of Congress."
December 24	Certifies selection of judges for hearing Massachusetts–New York land claim dispute; adjourns to New York City.
January 11	Reconvenes, five states represented.
January 13	Achieves quorum, seven states represented.
January 18	Accepts offer of New York City Hall for the use of Congress.

January 20	Communicates to states intelligence on the precariousness of United States credit abroad.
January 24	Orders preparation of a requisition on the states for 1785.
January 25	Elects treasury commissioners; tables L'Enfant plan for establishing a corps of engineers.
January 27	Adopts ordinance "for ascertaining the powers and duties of the Secretary at War."
January 31	Resolves to appoint minister to Great Britain.
February 1	Ratifies terms of a two-million-guilder Dutch loan.
February 2	Adopts proclamation urging states to penalize counterfeiting.
February 7	Approves lease of public buildings at Carlisle, Pa., to Dickinson College; orders removal of War Office, Post Office, and Treasury offices to New York.
February 10	Elects Philip Schuyler commissioner for planning federal capital.
February 11	Adopts regulations for the office for foreign affairs, conceding to Secretary Jay's demands.
February 18	Limits terms of ministers abroad.
February 21	Resolves to send commissioners to the Illinois settlements.
February 24	Appoints John Adams minister to Great Britain.
March 4	Opens debate on western land ordinance.
March 7	Authorizes Benjamin Franklin's return to America; resolves to appoint minister to the Netherlands.
March 8	Elects Henry Knox secretary at war.
March 10	Elects Thomas Jefferson minister to France.
March 11	Adopts instructions for negotiating with the Barbary states.
March 15	Adopts instructions for the southern Indian commissioners.
March 16	Rejects motion to limit slavery in the territories.
March 17	Imposes 12-month limit for submission of claims against the United States.

March 18	Adopts instructions for the western Indian commissioners.
March 21	Elects southern Indian commissioners; thanks king of Denmark for offer to ordain American candidates for holy orders.
March 28	Receives report on granting Congress commerce powers.
March 31	Adopts ordinance for regulating the office of secretary of Congress; receives report on 1785 requisition.
April 1	Debates Continental military needs.
April 7	Authorizes military establishment of 700 troops.
April 14	Reads revised western land ordinance.
April 18	Accepts Massachusetts western land cession.
April 22–28	Debates western land ordinance.
April 29	Appeals to states to maintain representation.
May 2–6	Debates western land ordinance.
May 9–10	Fails to achieve quorum (five states).
May 12	Fails to achieve quorum (six states).
May 13	Receives coinage report.
May 18–19	Debates western land ordinance.
May 20	Adopts western land ordinance; appeals to North Carolina to repeat western land cession.
May 24	Fails to achieve quorum (four states).
May 27	Renews appointment of geographer of the United States; appoints 13 continental surveyors.
June 1	Authorizes appointment of federal court to decide South Carolina–Georgia boundary dispute.
June 3	Publishes treaties with the Indians negotiated at Fort Stanwix and Fort McIntosh.
June 6	Authorizes negotiation of an Indian treaty at Vincennes.
June 7	Discharges Fort Pitt garrison.

June 14	Responds to French announcement of the birth of a second heir to the throne.
June 17	Orders John Jay to plan audience for the Spanish plenipotentiary Diego de Gardoqui.
June 20	Orders inquiry into the administration of the late superintendent of finance.
June 21	Orders annual inquiry into treasury administration.
June 23	Appoints William Livingston minister to the Netherlands (declines).
June 29	Asks Virginia to provide military support for Indian commissioners.
June 30	Orders a study of mail transportation.
July 1	Rejects motion to abolish court of appeals, but terminates salaries of the judges.
July 2	Receives Diego de Gardoqui.
July 4	Celebrates Independence Day.
July 5	Appoints John Rutledge minister to the Netherlands (declines).
July 6	Adopts the dollar as the money unit of the United States.
July 11	Continues rations for Canadian refugees.
July 12	Receives Post Office report.
July 13–14	Debates granting Congress commerce power.
July 18	Debates 1785 requisition.
July 20	Abolishes commissary of military stores.
July 22	Debates 1785 requisition.
July 25	Abolishes quartermaster department.
July 28–29	Debates 1785 requisition.
August 1–3	Debates 1785 requisition.
August 5	Orders removal of the treasurer's office to New York (by October 1).
August 10–13	Recesses.

August 15	Thanks king of Spain for sending Gardoqui mission.
August 17	Appoints Samuel Holten chairman in the absence of President Lee (through September 29) for the recovery of his health; Secretary Thomson to report delegate attendance monthly.
August 18	Endorses conduct of Massachusetts governor James Bowdoin in controversy with British naval captain Henry Stanhope.
August 25	Grants John Jay greater latitude in negotiating with Gardoqui.
August 29	Abolishes committee of the week (duties transferred to secretary of Congress.
September 2–3	Fails to achieve quorum (five states and two states).
September 5	Receives John Jay report on British occupation of northwest posts.
September 7	Authorizes John Jay to inspect the mails whenever required by United States "safety or interest"; approves the conveyance of mails by stage carriages.
September 13–17	Debates 1785 requisition.
September 19–21	Debates appeal of Connecticut settlers in the Wyoming valley.
September 22–26	Debates 1785 requisition.
September 27	Adopts 1785 requisition.
September 29	Authorizes commission to settle Massachusetts–New York eastern boundary.
October 5	Orders postmaster general to extend system of posts.
October 7	Debates threat of western separatism.
October 12	Authorizes troops to attend western Indian negotiations; exhorts states to meet fiscal quotas.
October 17–18	Mourns death of Virginia delegate Samuel Hardy (age 27).

October 20	Receives John Jay report on naval threat of Barbary states.
October 21–22	Fails to achieve quorum (six states and one state).
October 25	Fails to achieve quorum (four states).
October 27	Rejects proposal to create consular establishment.
October 28	Confers consular powers on ministers abroad.
November 2	Postpones convening of court to determine Massachusetts–New York western land claims dispute; suspends recruitment for 700 troop establishment.
November 4	Congressional session expires.

List of Delegates to Congress

This section lists both the dates on which delegates were elected to terms falling within the period covered by this volume and the inclusive dates of their attendance. The former are generally ascertainable from contemporary state records, but the latter are often elusive bits of information derived from the journals of Congress or extrapolated from references contained in the delegates' correspondence, and in many cases the "facts" are inevitably conjectural. It is not possible to determine interruptions in the attendance of many delegates, and no attempt has been made to record interruptions in service caused by illness or brief trips home, especially of delegates from New York, Connecticut, and New Jersey living within easy access of Congress. For occasional references to such periods of intermittent service as survive in the correspondence and notes of various delegates, see the index under individual delegates. Until fuller information is provided in a consolidated summary of delegate attendance in the final volume of this series, the reader is advised to consult Burnett, *Letters*, 7:lxiii–lxxvii, 8:lxxxiii–xcviii, for additional information on conjectural dates of attendance. Brief biographical sketches of all the delegates are available in the *Biographical Directory of the United States Congress, 1774–1989*, and fuller sketches of more than half of the delegates can be found in the *Dictionary of American Biography*.

CONNECTICUT

Joseph Platt Cooke
Elected: May 13, 1784; May 12, 1785
Attended: December 2–24, 1784; January 13 to April 20; May 16 to October 27, 1785

William Hillhouse
Elected: May 12, 1785
Did not attend Congress

William Samuel Johnson
Elected: October 27, 1784; May 12, 1785
Attended: January 13 to February 25; March 11 to May 4; May 19 to July 29; August 25 to October 21, 1785

Stephen Mix Mitchell
Elected: May 12, 1785
Did not attend November 1784 to November 1785

William Pitkin
Elected: May 13, 1784
Did not attend Congress
Jedediah Strong
Elected: May 13, 1784
Did not attend Congress
Jonathan Sturges
Elected: May 12, 1785
Did not attend in 1785
John Treadwell
Elected: May 13, 1784; May 12, 1785
Did not attend Congress
James Wadsworth
Elected: May 13, 1784; May 12, 1785
Did not attend November 1784 to November 1785
William Williams
Elected: May 13, 1784
Did not attend in 1784–85

DELAWARE

Gunning Bedford, Jr.
Elected: October 26, 1784
Attended: December 1–11, 1784; March 18 to April 23; August 31 to September 27, 1785
Samuel Patterson
Elected: October 26, 1784
Did not attend Congress
James Tilton
Elected: October 26, 1784
Did not attend November 1784 to November 1785
John Vining
Elected: October 26, 1784
Attended: December 1–14, 1784; March 21 to May 5; July 8 to August 3; August 31 to October 14, 1785

GEORGIA

Abraham Baldwin
Elected: January 9, 1785
Attended: May 30 to October 13, 1785
William Few
Elected: February 23, 1784; January 19, 1785
Did not attend in 1784–85

William Gibbons
Elected: February 23, 1784; January 19, 1785
Attended: November 1 to December 24, 1784
John Habersham
Elected: January 19, 1785
Attended: May 30 to October 27, 1785
Joseph Habersham
Elected: January 9, 1784
Did not attend Congress
William Houstoun
Elected: January 9, 1784; January 19, 1785
Attended: November 1 to December 24, 1784; January 19 to November 4, 1785
Lachlan McIntosh
Elected: February 23, 1784
Did not attend Congress
Edward Telfair
Elected: January 9, 1784; January 19, 1785
Did not attend in 1784–85

MARYLAND

Jeremiah Townley Chase
Elected: December 9, 1783
Did not attend in 1784
Samuel Chase
Elected: November 26, 1783; December 4, 1784
Did not attend in 1784–85
John Hall
Elected: December 9, 1783
Did not attend in 1784
John Henry
Elected: December 17, 1784
Attended: March 11 to June 30, 1785
William Hindman
Elected: December 17, 1784
Attended: February 8 to November 4, 1785
Thomas Johnson
Elected: December 4, 1784
Declined
Edward Lloyd
Elected: November 26, 1783
Did not attend in 1784
James McHenry
Elected: November 26, 1783; December 4, 1784
Attended: January 12 to April 5; April 20 to June 21; July 12 to September 27; October 19 to November 4, 1785

Luther Martin
Elected: December 17, 1784
Did not attend Congress
Richard Ridgely
Elected: December 4, 1784
Declined
Gustavus Scott
Elected: December 4, 1784
Did not attend Congress
William Smallwood
Elected: December 4, 1784
Declined
Thomas Stone
Elected: November 26, 1783
Did not attend November 1784

MASSACHUSETTS

Tristram Dalton
Elected: June 17, 1784
Did not attend Congress
Francis Dana
Elected: June 17, 1784
Did not attend November 1784 to November 1785
Nathan Dane
Elected: June 16, 1784
Did not attend June to November 4, 1785
Elbridge Gerry
Elected: June 17, 1784
Attended: December 6–24, 1784; January 31 to March 9?; July 12 to November 4, 1785
Nathaniel Gorham
Elected: November 3, 1784; June 16, 1785
Did not attend November 1784 to November 1785
John Hancock
Elected: June 16, 1785
Did not attend June to November 1785
Samuel Holten
Elected: June 17, 1784
Attended: November 1 to December 24, 1784; January 11 to March 24; April 6 to October 20, 1785
Rufus King
Elected: November 3, 1784; June 16, 1785
Attended: December 6–24, 1784; January 11 to November 4, 1785

George Partridge
Elected: June 17, 1784
Attended: November 29 to December 24, 1784; January 11 to March 9?, 1785
Theodore Sedgwick
Elected: June 16, 1784
Did not attend June to November 1785

NEW HAMPSHIRE

George Atkinson
Elected: June 21, 1785
Did not attend Congress
Jonathan Blanchard
Elected: June 11, 1784
Did not attend November 1784 to November 1785
Abiel Foster
Elected: June 11, 1784
Attended: December 2–24, 1784; January 11 to October 6, 1785
Woodbury Langdon
Elected: June 21, 1785
Did not attend in 1784–85
Samuel Livermore
Elected: November 3, 1784
Did not attend November 1784 to November 1785
Pierse Long
Elected: November 2, 1784; June 21, 1785
Attended: January 11 to May 30; June 22 to July 19; July 28 to November 4, 1785
Elisha Payne
Elected: November 3, 1784
Did not attend Congress
Nathaniel Peabody
Elected: June 21, 1785
Did not attend in 1785

NEW JERSEY

John Beatty
Elected: October 29, 1784
Attended: November 11 to December 11? 1784; January 11 to April 14; May 13–31? 1785
Lambert Cadwalader
Elected: October 29, 1784; October 28, 1785
Attended: January 11 to April 5; July 25 to October 14, 1785

Samuel Dick
Elected: October 29, 1784
Attended: December 11?–24, 1784; May 16 to July 22, 1785
Josiah Hornblower
Elected: October 28, 1785
Did not attend October 28 to November 4, 1785
William Churchill Houston
Elected: October 29, 1784
Attended: November 11 to December 24, 1784; June 21 to July 1; October 12–17, 1785
Charles Stewart
Elected: October 29, 1784
Attended: December 10–23, 1784; January 10 to April 15; May 23 to July 8; September 14 to October 7, 1785
John Cleves Symmes
Elected: October 28, 1785
Did not attend October 28 to November 4, 1785

NEW YORK

Egbert Benson
Elected: October 26, 1784
Attended: December 2–24, 1784
John Haring
Elected: March 19, 1785; March 26, 1785
Attended: April 11–29; June 6–13?; July 26 to November 4, 1785
John Jay
Elected: October 26, 1784
Attended: December 6–24, 1784
John Lansing
Elected: October 26, 1784
Attended: June 13–27; July 11–22, 1785
John Laurance
Elected: March 19, 1785; March 26, 1785
Attended: April 27 to May 20; May 30 to July 2; July 26 to October 6; October 28 to November 4, 1785
Robert R. Livingston
Elected: November 27, 1784
Attended: December 7–24, 1784; January 31 to April 7; June 6?–7, 1785
Walter Livingston
Elected: October 26, 1784
Attended: December 7–24, 1784; January 17 to April 6, 1785
Zephaniah Platt
Elected: October 26, 1784; March 26, 1785
Attended: January 11 to March 23, 1785

Melancton Smith
Elected: March 19, 1785; March 26, 1785
Attended: March 29 to November 4, 1785
Peter W. Yates
Elected: March 26, 1785
Did not attend in 1785

NORTH CAROLINA

Timothy Bloodworth
Elected: November 20, 1784
Did not attend in 1784–85
William Blount
Elected: November 20, 1784
Did not attend in 1784–85
William Cumming
Elected: May 24, 1784
Attended: July 21 to October 17, 1785
Charles Johnson
Elected: November 20, 1784
Did not attend Congress
Adlai Osborn
Elected: May 22, 1784; November 20, 1784
Did not attend Congress
Thomas Person
Elected: May 11, 1784
Did not attend Congress
John Sitgreaves
Elected: May 11, 1784; November 20, 1784
Attended: January 17 to May 6, 1785
Benjamin Smith
Elected: May 22, 1784
Did not attend Congress
Richard Dobbs Spaight
Elected: May 11, 1784; November 22, 1784
Attended: November 29 to December 24, 1784; January 19 to February 1; February 15 to March 29; May 23 to June 7, 1785
Hugh Williamson
Elected: April 23, 1784
Attended: November 1 to December 24, 1784; January 11 to May 13, 1785

PENNSYLVANIA

Matthew Clarkson
Elected: February 19, 1785
Did not attend Congress

Joseph Gardner
Elected: November 16, 1784
Attended: November 29 to December 24, 1784; January 17 to May 6; June 7 to August 3?; September 8? to November 4, 1785
Edward Hand
Elected: November 12, 1783
Did not attend November 1784
William Henry
Elected: November 16, 1784
Attended: November 29 to December 24, 1784; January 25 to June 24? 1785
David Jackson
Elected: February 19, 1785
Attended: April 21 to November 4, 1785
Thomas Mifflin
Elected: November 12, 1783
Did not attend November 1784
John Montgomery
Elected: November 12, 1783
Did not attend November 1784
William Montgomery
Elected: November 16, 1784
Did not attend Congress
Cadwalader Morris
Elected: November 12, 1783; November 16, 1784
Did not attend November 1784 to November 1785
Charles Pettit
Elected: April 7, 1785
Attended: May 27 to July 15?; July 25 to September 30, 1785
Joseph Reed
Elected: November 16, 1784
Did not attend in 1784–85
James Wilson
Elected: February 14, 1784; April 7, 1785
Attended: April 26 to May 5?; July 5–8?; July 28 to August 3?; September 16–23? 1785

RHODE ISLAND

John Brown
Elected: May 5, 1784; May 4, 1785
Did not attend Congress

George Champlin
Elected: May 4, 1785
Did not attend Congress
William Ellery
Elected: May 5, 1784
Attended: November 30 to December 24, 1784; January 11 to August 4; September 8 to November 4, 1785
David Howell
Elected: May 5, 1784
Attended: November 29 to December 24, 1784; January 11 to May 5; May 25 to November 4, 1785
Henry Marchant
Elected: May 5, 1784
Did not attend in 1784–85
Paul Mumford
Elected: May 4, 1785
Did not attend Congress
Peter Philips
Elected: May 4, 1785
Did not attend Congress

SOUTH CAROLINA

John Bull
Elected: March 9, 1784; February 11, 1785
Attended: November 29 to December 24, 1784; January 18 to February 25; March 11? to May 5; June 9 to September 22; October 7?–27, 1785
Alexander Gillon
Elected: February 10, 1784
Did not attend Congress
John Kean
Elected: February 11, 1785
Attended: May 31 to November 4, 1785
Henry Laurens
Elected: February 10, 1784
Did not attend in 1784–85
Charles Pinckney
Elected: March 23, 1784; February 11, 1785
Attended: November 1 to December 24, 1784; January 17 to September 27; October 13? to November 4, 1785
David Ramsay
Elected: February 11, 1785
Attended: May 13 to August 10, 1785

Jacob Read
Elected: February 10, 1784; February 11, 1785
Attended: November 2 to December 24, 1784; January 18 to March 7?; July 26 to September 27?; October 14? to November 4, 1785

VIRGINIA

William Grayson
Elected: June 22, 1784
Attended: March 11 to August 17?; September 7 to November 4, 1785

Samuel Hardy
Elected: June 22, 1784
Attended: November 11 to December 24, 1784; January 17 to April 6; June 15? to August 29; September 13–27, 1785

Richard Henry Lee
Elected: June 22, 1784
Attended: November 1 to December 24, 1784; January 11 to August 16?; September 29 to November 4, 1785

John Francis Mercer
Elected: June 22, 1784
Attended: November 12 to December 24, 1784

James Monroe
Elected: June 22, 1784
Attended: November 1 to December 24, 1784; January 17 to March 11; March 31 to August 17? 1785

Illustrations

Map of New Jersey endpapers

"A Sketch of the Northern Parts of New Jersey, Copied from the Original by Lieut. J[ohn] Hills, 23d Regt., 1781." This lower right-hand quadrant of Hills' pen-and-ink sketch is bisected by the road from Trenton on the Delaware River to Brunswick on the Raritan. Congress had adjourned from Annapolis June 3, 1784, "to meet at Trenton on the 30th day of October next," but was unable to achieve a quorum at its new location until November 29. During its brief session in Trenton, Congress met at the French Arms Tavern on the southwest corner of King and Second Streets (modern State and Warren Streets), of which no contemporary likeness is known. The New Jersey Assembly attempted to provide Congress a comfortable home and helped procure a "Dwelling House" for its president, but the delegates soon found the village's accommodations inadequate to its needs and on December 24 "Adjourned to meet at the City of New York, on the 11 day of January next."

Geography and Map Division, Library of Congress. G3810.1781. H5Hills15.

Richard Henry Lee 41

Lee (1732–94), a brother of Francis Lightfoot, William, and Arthur, grew up in Westmoreland County, Va., and became politically active at an early age, serving as a county justice of the peace in 1757 and a member of the legislature in 1758. Although an aristocratic planter, Lee early identified with a number of popular causes that marked Virginia politics during the 1760s and 1770s and emerged as a leader of Virginia's opposition to British rule. He was elected to the First Continental Congress in 1774, acquired fame by introducing Virginia's "Independence" resolution June 7, 1776, and eventually served nearly nine years on that national stage. He was a key figure in the Lee-Adams (Virginia-Massachusetts) faction in Congress and an important actor in the Deane-Lee controversy featuring Silas Deane and Lee's brother Arthur. Lee served as president of Congress from November 1784 to November 1785. He was elected to the Constitutional Convention in 1787 but declined on the principled ground that he was already a member of Congress which would be passing judgment on the work of the convention. Long an opponent of centralizing tendencies

in Congress, Lee opposed the Constitution when it was submitted to that body and was a leader of the antifederalist opposition to its ratification. His "Letters of a Federal Farmer" were among the most influential of all antifederalist tracts, and although he failed to block implementation of the new government he was elected to the first federal Senate and there worked to ensure that some of his objections to the new Constitution were embodied in the Bill of Rights. Lee's health failed halfway into his term and he resigned from the Senate in October 1792, less than two years before his death at age 62.

Painting by Charles Willson Peale. Independence National Historical Park.

New York City Hall 111

The City Hall (Federal Hall after March 1789) was the home of Congress from January 1785 until October 1788, when extensive remodeling was begun to prepare the building for the new Congress under the federal Constitution. Having adjourned from Trenton on December 24, 1784, Congress reconvened in New York on January 11 as scheduled, but only five states were represented initially and a quorum was not achieved until January 13. The following day the mayor of the city, James Duane, formally offered the "Use of such Parts of the City Hall . . . [as Congress] might judge to be most suitable and commodious for their Purposes," and the delegates accordingly took over the large second floor chamber previously used by the New York Assembly. Other rooms in the building were put to use for committee meetings and for the office of the secretary of Congress. The etching reproduced here, from the August 1789 issue of the *Columbian Magazine,* shows the building after the remodeling had been completed.

Prints and Photographs Division, Library of Congress. LC–USZ62–45577.

Charles Pinckney 133

Pinckney (1757–1824), a Charleston, S.C., lawyer, was an officer in the South Carolina militia who served at the siege of Savannah in 1779 and was taken prisoner in the capitulation of Charleston in 1780, remaining in British custody until exchanged in June 1781. He was a member of the South Carolina House of Representatives in 1779–80 and of Congress in 1785–87, played a prominent role in the Constitutional Convention and worked vigorously for ratification of the Constitution, and served as federalist governor of South Carolina from 1789 to 1792. Pinckney subsequently broke with the federalist party over Jay's treaty in 1795 and was returned to the governorship with Republican support in 1796–97. The following year he was elected to the United States Senate and in 1801 President Jefferson appointed

Pinckney minister to Spain. He was elected governor of South Carolina for a fourth time in 1806, returned to the South Carolina Assembly from 1810 to 1814, and completed his public career as a Democratic representative in Congress from 1819 to 1821. In the Confederation Congress, 1785–87, Pinckney was particularly interested in policy governing the western territories and the Indians and in Continental requisitions and the apportionment of state quotas. He was also a leading opponent of Spanish efforts to close the Mississippi River to Americans in exchange for the commercial treaty offered by Diego de Gardoqui. When the New Jersey Assembly anounced its refusal to comply with the state's Continental quota until New York acceded to the Continental impost, he undertook a special mission to Trenton to obtain a reversal of the decision.

Painting by Gilbert Stuart. Philipse Manor Hall State Historic Site, New York State Office of Parks.

William Henry 221

Henry (1729–86) was a Lancaster, Pa., gunsmith whose great skill at his craft brought him considerable fame and wealth. He served as armorer to Pennsylvania troops during the French and Indian War, established a laboratory at his gunworks, and experimented with the steam propulsion of boats after a trip to England in 1761 enabled him to witness a demonstration of James Watt's steam engine. He joined the American Philosophical Society in 1768, publishing articles on his own inventions, and gradually entered public life as justice of the peace and as assistant justice of the Lancaster County courts. He was a member of the Pennsylvania Assembly in 1776 and the Council of Safety in 1777, became treasurer of Lancaster County from 1777 to 1786, and served as an assistant commissary general during most of the war for independence. He was elected a delegate to Congress in 1784 and 1785, but attended only five months in 1785, the year before his death. Henry entered Congress in the midst of a debate over establishment of a court to adjudicate the claims of Connecticut settlers in Pennsylvania's Wyoming Valley. He urged congressional action on the appeals of Philadelphia merchants for the protection of their trade against Barbary corsairs and worked to secure the appointment of additional auditors for the settlement of Pennsylvania's Continental accounts.

Etching by Albert Rosenthal. Prints and Photographs Division, Library of Congress. LC–USZ62–54680.

Jacob Read 257

Read (1752–1816) was a South Carolina lawyer who obtained his legal education in Savannah and in London at Gray's Inn. He joined

the opposition to the policies of the North Ministry while still in England, became a captain in the Charleston militia upon his return to America, and was captured when the city fell in 1780. After civil government was restored in South Carolina, Read served in the Assembly in 1782, on the Council in 1783, and in Congress from 1783 to 1785. He became speaker of the South Carolina House of Representatives in 1787, a member of the South Carolina ratifying convention of 1788, and a Federalist United States Senator, 1795–1801. He was appointed a federal district judge by John Adams under the Judiciary Act of 1801, an act that was repealed the following year before he could take office, which ended his public career except for his tenure as general of South Carolina militia, 1808–16. In Congress, Read was a proponent of measures for invigorating the Continental government, working closely with delegates like James Madison and John Francis Mercer who articulated proposals for strengthening the union. He was a member of the Committee of the States when Congress adjourned from Annapolis in 1784 and denounced those who withdrew from its proceedings and brought about its collapse. He was concerned over the fiscal problems of the nation, chaired the Grand Committee on the requisition for 1785, and urged the survey of western lands to provide Congress a revenue. He also served on committees concerned with Indian negotiations and the protection of the frontiers, with curbing the British evacuation of slaves in violation of the Treaty of Paris, with punishing the mutineers who forced Congress to flee Philadelphia in June 1783, and with negotiations with the Barbary States. During his service as a delegate in New York in 1785, Read married Catherine, daughter of David Van Horne, a deceased merchant of that city.

Painting by John Trumbull. Yale University Art Gallery.

William Samuel Johnson 347

Johnson (1727–1819), the son of the first president of King's College, had a scholarly bent, graduated from Yale at the age of 16, received an A.M. degree from Harvard three years later, and eventually served as the first president of Columbia College, 1787–1800. A resident of Stratford, Conn., most of his life, he was elected to the Connecticut House of Representatives in 1761 and became an Assistant in the upper house, "the first Episcopalian ever bro't into the Council," in 1766. He was a Connecticut delegate to the Stamp Act Congress in 1765 and undertook a challenging mission to London to defend the colony's title to the Mohegan lands from 1767 to 1771. He was elected a delegate to the First Continental Congress in 1774 but declined to serve, and he gradually retired to the sidelines at the approach of the revolution. He was arrested and confined for a time in 1779 when British raids on the Connecticut coast alarmed the state against sus-

pected loyalists but was released after taking an oath to the state, and was employed as Connecticut counsel during the hearing of the Susquehannah Company land claims before the federal court at Trenton in 1782. He was a delegate to Congress, 1785–87, and played a major role in the proceedings of the Constitutional Convention. Elected one of Connecticut's original United States senators, he retired in 1791 when Congress' removal from New York to Philadelphia made it impossible for him to carry on that work and his duties as president of Columbia simultaneously. In Congress, Johnson continued to work on behalf of Connecticut's claimants in Pennsylvania's Wyoming Valley and sought acceptance of Connecticut's western land cession and recognition of her claims to a western reserve. He was also a proponent of augmenting congressional power, especially over trade, and supported John Jay's negotiations with Gardoqui, arguing that Americans would gain greatly from Spanish trade concessions and give up little in return since they would have slight use for the Mississippi River in the immediate future and ultimately would force its reopening through population pressure.

Etching by Albert Rosenthal from a painting by Gilbert Stuart. Prints and Photographs Division, Library of Congress. LC–USZ62–54684.

Richard Dobbs Spaight 436

Spaight (1758–1802) was born into a prominent North Carolina family with Irish roots, the nephew of royal governor Arthur Dobbs. He was orphaned at the age of eight, however, and was sent to Ireland to be educated. He studied at the University of Glasgow before returning home in 1778 to become an aide to Gen. Richard Caswell. During his public career he was a member of the North Carolina House of Commons from 1779 to 1782, a delegate to Congress, 1783–85, a delegate to the Constitutional Convention in 1787 and to the North Carolina ratifying convention in 1788, governor of North Carolina, 1792–95, and a member of the Fifth and Sixth Congresses from 1798 to 1801. In 1801 he was elected to the North Carolina senate, but shortly thereafter he died from wounds suffered in a duel with John Stanley, his successor in Congress. In the Confederation Congress, young Spaight advocated a stronger Continental government, opposed efforts to limit slavery in the territories, and sought to prevent the appointment of members of Congress to other Continental posts during congressional terms for which they had been elected. He was also a member of the Committee of the States that convened when Congress adjourned from Annapolis in June 1784, of the Grand Committee on the requisition for 1785, and of the committee appointed to draft an ordinance for the government of the western territories. In-

censed at the success of David Howell's fight against the Continental impost, Spaight led an acrimonious fight to disqualify the Rhode Islander from Congress on the ground that his credentials had already expired, in the course of which he issued a challenge to a duel which Howell snubbed but which foreshadowed the circumstances of his own death in 1802.

Etching by Albert Rosenthal, "From the miniature in the possession of the Family." Prints and Photographs Division, Library of Congress. LC–USZ62–54690.

William Hindman 477

Hindman (1743–1822), a Maryland planter and lawyer educated at the College of Philadelphia and in London, began his public career as a member of the Talbot County Committee of Observation in 1775. In July of that year he joined the Maryland Convention, which elected him treasurer of the Eastern Shore. He served in the Maryland Senate, 1777–84, the Confederation Congress, 1785–86, the governor's council, 1789–92, the United States House of Representatives, 1793–99, and the Maryland House of Delegates, 1799–1800. And, in 1800–1801 he filled out a vacated term in the United States Senate. As a delegate to Congress, Hindman was particularly involved with issues related to the administration of the board of treasury and exhibited special concern for fiscal policy. He was a member of grand committees charged with preparing an ordinance for settling the states' Continental accounts and with inquiring into the concerns of western settlers wishing to separate as independent states. Hindman also used his vantage point in Congress to appraise opportunities for purchasing choice western lands with depreciated settlement certificates. The correspondence of this lifelong bachelor reveals that he took advantage of the social opportunities available in New York, becoming an avid theatergoer.

Painting by John Wesley Jarvis. Maryland Historical Society.

James Monroe 600

At the outbreak of the war for independence Monroe (1758–1831) was a student at the College of William and Mary and, at the age of 18, he enlisted in the Virginia Line. He was active in a number of battles, was wounded at Trenton, rose to the rank of major, and served as aide to Lord Stirling. But he abandoned the military for the study of law with Gov. Thomas Jefferson in 1780, forming a close friendship that shaped his entire career and endured until Jefferson's death. Monroe served in the Virginia Assembly, 1782–83, in Congress, 1783–86, and in the Virginia Convention called to ratify the federal Constitution in 1788. He failed to obtain election to the First Congress when he ran

against James Madison in 1789, but he obtained a seat in the Senate in 1790 when a vacancy occurred. He was appointed minister to France from 1794 to 1796, was elected governor of Virginia, 1799–1802, and was appointed a special envoy successively to France, Spain, and England, 1803–6. Monroe returned to the Virginia Assembly in 1810 and served briefly as governor in 1811, before accepting President Madison's appointment as secretary of state, therefore helping to steer American foreign policy at the approach of the War of 1812. His public career reached a climax during his years as the fifth president of the United States, 1817–25. In Congress, Monroe took great interest in issues related to western development, including land policy, negotiations with the Indians, the claims of western separatists, and navigation of the Mississippi River. During this period he made extensive tours of the northern and western frontiers to observing negotiations with the Indians at Fort Stanwix in 1784 and at the Miami River in 1785. He urged augmenting congressional power over the regulation of trade and the negotiation of commercial treaties abroad, and he favored close congressional supervision of the conduct of foreign affairs.

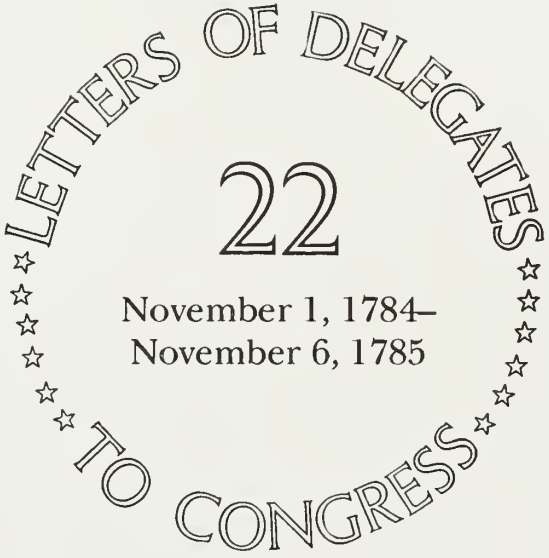
Painting by John Vanderlyn. The National Portrait Gallery, Smithsonian Institution.

Rufus King 636

King (1755–1827) graduated from Harvard in 1777 and studied law with Theophilus Parsons at Newburyport, Mass., where he opened a legal practice in 1780. As a Newburyport delegate to the Massachusetts General Court, 1783–85, he distinguished himself as a debater and was elected a Massachusetts delegate to Congress, 1784–87. He also played a prominent role in the Constitutional Convention and worked vigorously for ratification of the Constitution. King married Mary Alsop of New York while attending Congress there in 1786, and soon after made that city his residence. He quickly became a respected public figure in his adopted state, winning a seat in the New York Assembly in 1788 and in the United States Senate in 1789. He was named minister to Great Britain by Washington in 1796, helping to preserve peace with that nation during several critical years, but asked to be relieved in 1803. He was the Federalist candidate for vice president in the elections of 1804 and 1808, opposed going to war with Britain in 1812, and was reelected to the Senate from New York in 1813. As Federalist candidate for president in 1816, he lost to James Monroe by a vote of 183 to 34. King retired from the Senate in 1825 in the expectation of resuming private life, but was pressed by President John Quincy Adams to become minister to Britain for a second time, at age 70. Declining health led him to return to America within a year and

he died in April 1827. In the Confederation Congress King occasionally relinquished his role as a defender of his constituents' parochial interests for a larger national view, developing a special interest in commerce, finance, and diplomacy. He was a vigorous proponent of limiting slavery in the western territories and shared John Jay's views on negotiations on the Mississippi question, urging the desirability of a commercial treaty with Spain.

Etching by Albert Rosenthal from a painting by John Trumbull. Prints and Photographs Division, Library of Congress. LC–USZ62–54686.


LETTERS OF DELEGATES
22
November 1, 1784–
November 6, 1785
TO CONGRESS

James Monroe to Thomas Jefferson

Dear Sir Trenton Novr. 1. 1784.

Two days since I arriv'd here after performing a tour up the north river by fort Stanwix, down the wood-creek, thro' the Onida, Ontario, & (by the Niagara falls) part of lake Erie, thence back by Niagara thro the Ontario by Carlton Island thro the St. Lawrence to Montreal & from Montreal over lake Champlain by Albany to N. York again. You find I have taken a rout different from the one I intended, as my object was to take in my view the practicability also of a communication from lake Erie down the Potowmack. But from this I was dissuaded by an accident wh. happen'd to some of the party, upon lake Erie, with whom I came from fort Stanwix to Niagara. I had seperated from them by accident three days before the event. They landed near some Indian huts (a Mr. Teller from Schenactady with four men in a batteaux) & were fir'd on by those Indians, Mr. Teller & two men kill'd, & a 4th wounded; the latter, with the 5th made their escape. The Indian chiefs highly reprehended the act & were at the earnest instigation of the gentlemen of the Brith. garrison, endeavoring to detect & bring the villains to justice. Upon advice of this disaster Colo. Depeister,[1] commanding at Niagara, sent an Express to me just entering upon lake Erie advising my return, with wh. I complied & took the above rout to this place. My excursion hath been attended with great personal exposure & hardship & much greater expence than I had expected. It hath however I hope been advantageous to me in some respects. I have ascertaind I believe with some accuracy the different degrees of difficulty from Michelemackinac down the grand river to Montreal, thro the lakes to Montreal and by the north river. {The preference is at least 20 percent in favor of the north river}.[2] The first leasure time I have I will take the rout of fort Pitt to lake Erie & form some estimate in that direction. {Canada, I find from individuals, [thirty] miles below Cataraqui to Montreal much richer than I had expected, although} I am of opinion Ld. Shiffield's expectations are visionary in his calculation that it will supply the Islands with flower & lumber.[3] {Still I think it has great resources, in those articles but the best timber} is high up the river, wh. together with the difficulty of geting it down the rapids & thro' the gulph of the St. Lawrence to the west Indies must make it an expensive trade to them, more expensive I am told than that from the Baltic. If I were to estimate the present, or the probable future value of Canada to the Brith. Dominions, consider'd in a commercl. light, {and compare it with expences neces-

saryly incur'd if they keep up a military establishment in supporting it}, I shod. think Britain wod. act a politic part in relinquishing it; {and the not doing it satisfyes me [*she*] either has or will have other objects. Under the bounds of the U.S. by the late treaty the principal part of the fur trade must leave} it & run in some channel within the {U.S. The merchants established, or connected in it, the batteaux men and other dependants will take the same course}. This will increase the expence of {their government in supplying their upper posts in Canada, as the price of hands will be higher and the means scarcer. In addition to these difficulties which nature has thrown in her way others will exist under their government to which ours will be a stranger at present. No merchant is allowed to build vessels on the lakes but must} if he takes that course, avail himself {of those of government and this exposes them to constant and most oppressive impositions. Their peltries are subject to duties and preference passes from lake Superior to Montreal; the duties} may be taken {off but the preference passes can not be prevented; while their restraints on their trade are high it will be our policy} to increase them in every instance wherein {they depend on us; while we give those within our bounds great indulgences we must prohibit under high penalties all commerce between the U.S. and Canada; prohibit their landing or storing their goods on our side under at least thirty percent} ad valorem at the place where landed. {Canada I consider as standing upon different ground in regard to us from any other part of the british dominions; a free inter-course between us and the people of Canada} can, in my opinion, only be advantageous to them & will defeat any political arrangement we can adopt respecting them. {By prohibiting them the participation of the} advantages which {we} possess, {we occasion them great difficulty. Their merchants might get their goods much cheaper up the North river than the St. Lawrence and until we permit them} to navigate on {our shore} from the commencement of {the Ontario they are deprived of the possibility of} navigating {it except in} vessels of considerable burden. {If they take the North-west in batteaux they must go round the lake seventy miles above Niagara}, & down the other side before they reach it, for the passage is impracticable there. I submit to you these observations that you may judge what weight they shod. have {in forming a treaty of commerce. The English ministry will I am satisfied readily agree it shall be so framed as to exclude the U.S. from a free intercourse with Canada. Their jealousy will tell them to beware how they admit it lest the sweets of those rights which we enjoy might invite them to us; but the people of Canada will be more sensible of our blessings by the restraints laid on them; they will feel their own misfortunes and envy the blessings to be attained under the protection of the fœdral arm}. In the mean time the acquisition {of Canada is not an object with us, we} must make valuable what we

have already {acquired} & at the same time take such measures as {to weaken it as a British province}.

As yet we have not a representation of the States but expect it in a few days. {This will certainly be a very important and interesting session. In Canada I was informed that the commanding officer had received orders not to evacuate the posts and that many of the vessels laid aside under the provisional treaty} had again been put in commission {on the lakes}, a measure sd. to be founded {upon the supposed violation of the treaty by New York and Virginia}. The latter in {not repealing the laws prohibiting the recovery of British} [*debts*] & the former in {confiscations}. But if their conduct is unauthoriz'd, {is this the way to obtain redress. I trust that the conduct of Congress upon this occasion will be firm though temperate, but indeed we are in a poor condition for war. We may lose much but can gain nothing. The minister of finance has arrived here to present his commission to Congress. Those lately appointed in his stead are too diffident}, I am told, of {themselves to} succeed {him. Two}, I hear, have {resigned; the situation is difficult but the road for Congress to take up appears to me a plain one; an arrangement superseding his office} hath taken place. He must bid us {farewell. If those already} appointed {can not serve, others} must be appointed {in their stead.[4] Our Indian commissioners have quarrel'd with the State [*of*] New York; the State also held a treaty with the Indians which preceded ours; to this they took exception. The affair will, however, easily be accomodated. The delegations are generally the same. Williamson is here} but it is said that {Spaight will dispute his right to sit. Pinkny} in the stead of {Beresford; Georgia has a Houston and Gibons here; the former has been to Europe to leave behind him what little wit} he had, and the latter I believe never had any, or very little. {He is however a married man} & I hear well intention'd.

The court of Pensyla. sentenc'd the man who made the attack on Mr. Marbois to pay the fine of 200 dolrs. & to suffer two year's imprisonment.[5] {With this he is dissatisfied. Will the court of France be so}. I shall write you very fully so soon as we have a Congress & by every packet & private opportunity & beg of you to do the same. I have not heard from you since you left Phila.; perhaps your letters to me are in Virga. if you have wrote. I reach'd New York 10 days after Mr. Short left it. I wish'd to have seen him. I hope yourself & Miss Patsy are well. Where shall I address to you. I am with the greatest respect & esteem, Dear Sir, your friend & servant, Jas. Monroe

RC (DLC: Jefferson Papers).

[1] That is, Col. Arent Schuyler De Peyster, former commandant at Detroit, who had apparently replaced Brig. Gen. Allan Maclean as commander at Niagara. See Richard White, *The Middle Ground: Indians, Empires and Republics in the Great Lakes Region, 1650–1815* (Cambridge: Cambridge University Press, 1991), pp. 408-12.

[2] Words printed in braces in this text were written by Monroe in the cipher that he had sent to Jefferson on July 20.

[3] That is, the "expectations" expressed by John Baker Holroyd, 1st earl of Sheffield, in his 1783 pamphlet on American commerce, for which see these *Letters*, 20:608n.1.

[4] See Charles Thomson to Daniel of St. Thomas Jenifer, November 11, note 1.

[5] See Thomas Mifflin to the Chevalier de La Luzerne, May 31, 1784.

Samuel Holten to John Hancock

Sir. Trenton, 2d Novr., 1784.

I take this first opportunity to acquaint your Excellency & the honorable Court, that there was not a Congress yesterday as was expected, the states represented are New Jersey, Virginia, South Carolina, & Georgia, I was the only person present from the eastward of New Jersey; I fear the public business will be delayed unless we have a full Congress.[1]

I conclude your Excellency has taken notice of Governor Clintons speech to the assembly of New York, respecting the land (as he expresses it) claimed by Masstts., he seems to think that a more explicit description of the land should be called for.[2]

I have the honor to be, with perfect respect, your Excellencys most obedient servant, S. Holten

RC (M–Ar: Revolutionary War Letters).

[1] Congress had adjourned from Annapolis June 3, 1784, "to meet at Trenton on the 30th day of October next." *JCC*, 27:556. According to Secretary Thomson's journals, only two states (Georgia and Virginia) were officially "represented" with two delegates when Congress attempted to convene on Monday November 1, with single delegates from Massachusetts, North Carolina, and South Carolina in attendance. The following day a second South Carolina delegate arrived to bring the number of states represented to three. Thomson did not make another entry in the journals until November 11, when he reported: "Four states attended, namely, New Jersey, Virginia, South Carolina and Georgia; and from the State of Massachusetts, Mr. Holten, and from North Carolina, Mr. Williamson." His next entry is dated November 29, when "Six states assembled" in the morning, plus Joseph Gardner of Pennsylvania, who was subsequently joined by William Henry in the "P.M." to make a quorum. See *JCC*, 27:641–42.

During its brief session in Trenton, which lasted to December 24th, Congress met at the French Arms Tavern on the southwest corner of King and Second Streets (modern State and Warren Streets). Trenton citizens had attempted to lure Congress to their village when the Philadelphia mutiny had driven the delegates to Princeton in June 1783, and had renewed their appeal in October 1783 when Congress adjourned to Annapolis. The news that Congress had adjourned from Annapolis to Trenton led the New Jersey Assembly in August to appoint three commissioners (James Ewing, Moore Furman, and Conrad Kotts) to procure "a House for Congress to sit in for the dispatch of public Business," and also a "Dwelling House" for the residence of the president. The commissioners thereupon leased the French Arms Tavern, the largest public building in Trenton, from Jacob Bergen for the use of Congress, and for the use of the president the house of Stacy Potts, which stood on the ground later occupied by the St. Mary's Cathedral rectory on modern North Warren Street. Documents assembled by the New Jersey State

Archives record a flurry of activity at the end of October to prepare the "long room" of the tavern for Congress, including the purchase of twelve tables (£4.10.0), carpet, curtains, and green covering for thirteen tables (£1.18.7), fireplace tools (£2.2.6), and "Lime and White-Washing two Large Rooms for Congress twice over" (£0.10). See "Papers of the Continental Congress at Trenton, N. J. in 1784," Nj-Ar; and Edwin Robert Walker, et al., *A History of Trenton, 1679–1929*, 2 vols. (Princeton: Princeton University Press, 1929), 1:185-92.

[2] Gov. George Clinton's October 18 speech opening the new session of the New York Assembly, reporting on Massachusetts' claims to lands in New York and "the necessity of appointing agents to manage the controversy on the part of this state," is in New York, *Messages from the Governors Comprising Executive Communications to the Legislature and Other Papers . . .*, ed. Charles Z. Lincoln, 11 vols. (Albany: J. B. Lyon Co., 1909), 2:217-20.

Hugh Williamson to Thomas Ruston

Dear Sir[1] Trenton Novr. 2nd 1784

The Pamphlet[2] you was so good as send by Mr. Lawrence with the Packet of Papers came safe to Hand. Mr Lawrence is now here with us. I am much obliged to you for the Pamphlet from which I recd much useful Information. Once as you know I thought it worth while to sign a Paper for the Inspection of the British Parliamt and Ministry in hopes of correcting their Conduct by unanswerable Proofs that they were in pursuit of bad measures.[3] Was argument of any use? no certainly, unless to make them desperate the sooner. For many Years I have laid it down as indisputable that the Br. Nation is not to be convinced except by the *Argumentum a necessitate*. Uniform and consistent nation, where individuals are generally persuaded & yield to the *Argumentum ad Crumenam* & the People at large to the *Argumentum plumbeum*.[4] A late Report of the Council[5] is in proof that Arguments which I thought unanswerable have made no Impression. If we do not find some means of putting a stopper on the present demand for British goods in this Country I am greatly mistaken. In truth I am not grieved at the present Madness of your Rulers, it was needed and will be of use for our Instruction in mercantile & political Wisdom. I had been in North Carolina 3 months during the adjournmt of Congress and arrived at Philada. from that state seven days ago where I found your Letter of the 6th Augt. Had it come to hand before I left Home I should certainly have visited your Farm, At present I can form no Estimate of its Value because the Lands adjoining the great dismal are very unequal, some of them being very good and others thin and sandy. I shall write however to a friend in that neighbourhood for a correct History of the Tract You have described. There are two Companies to whom the whole of the great Dismal belongs, including the Lake. The boundary line passes through that great Desart. Genl Washington and nine other Gentlemen have taken up the Part that is in

Virginia, about 100 Thousd Acres. Another Company, of which I am one, hold all that part of the Dismal which is within N Carolina, about 50 Thousd As. I consider our Part as by far the most valuable acre for acre on Accot of the vast Cyprus forests it includes. This is the Timber generally call'd Cedar of which Shingles are made. We now have a Party of men employ'd in that manufacture. In Mitchels Map or the American Atlas I forget which you will find a tolerable Draught of that sunken Tract calld the Dismal. In all parts that we have try'd there are 2½ feet to 3 feet deep of black soil, under which there is a stiff blue Clay. After the Timber is removed, such land cannot be exhausted by Agriculture. From the Head of Pasquetank River which is within the Lands of our Company into Drummonds Lake the distance is about 5 miles. The water is at least 4 feet deep & without any falls to the Place calld the Head of that River. From Drummonds Lake the Distance is hardly two miles to the deep & stagnant water of Tucker's Mill dam. The Tide water, in the West Branch of Elizabeth River, on which Norfolk stands, rises to the very back of Tuckers mill dam; from this you may calculate the necessary length of a Canal to pass large Boats from our Rivers to those of Virga. to carry off our Lumber and to carry off our redundant waters so as to drain our low ground. Genl Washington, who has view'd the Lake and the Virginia Tract carefully assures me that a Canal 4 feet deep may convey Boats of sufficient Magnitude from the Lake to any of the contiguous Rivers. The Virginia Company seem desirous of beginning the Canal immediately & our Company are equally desirous to forward a work that must treble the Value of that Estate, but as they seem to have considerably overrated my Judgement on subjects of this kind they have signifyed to me that they wish for my assistance in putting that Business in a Train. On the next summer I expect that some thing will be done. If your Enquiries arose from any desire to purchase into the Virga. Company I think such purchase would be impracticable. Several Gentlemen have told me that they had attempted in vain. There is a kind of agreemt. among them that if one sells the others shall have the refusal. I was told about 4 weeks ago that a Gentleman who owns 1000 As. in our Company is willing to sell that, and that he was willing to take three quarters of a Dlr per Acre. How long he may retain that mind I cannot guess.

During the late war the Virga land office continued open for the sale of Land at a given Price, when the mony was greatly depretiated. People took out Warrants for vast Quantities of Land (for the real Price was a perfect Trifle, whatever the nominal one might be). The custom was to issue a Warrant for so much Land to be taken up where you could find it on the East side of the Ohio. I believe the good Lands are universally taken up & there are still as many Warrants unsatisfy'd as would cover all the Rocks & Mountains, which are many, Three Times over. There may chance to be among the skirts of the mountains some little Plains of 2 or 300 As. hitherto unexplored; But

there are so many woods men constantly employ'd in searching for Land for their own Use, that an adventurer who cannot personally attend to the Work will hardly be a gainer though he gives but a shilling the Hundred for those Locations.

I have purchased some Lands in the Western Part of our state, but the greater Part of what I hold I have recd in Payment for advances I had made to the state during the War. I have also recd a few thousands, as an Officer. From your remark that Lands may be *so far back as to be of little value* I observe that you presume antient Prejudices without considering that we have in some measure a double front. No Nation on Earth will nor can with safety dispute that the Mississipi is open to us. And you know that Vessels may come in 8 or 10 feet water up to the falls of Ohio and several Hundred miles up the Cherokee River. It appears by Experience that the Climate on the West side of the Appellachian Mountains is more stable & more hea[l]thy than on the East Side and the soil in general much more fertile and of a kind that must be infinitely more durable. There are large bodies of People from all the states migrating across the mountains, I verily believe that such migrations will nearly keep Pace with our increase by birth. To the advantages mentioned they add another of some weight, that though the sea Coast Inhabitants may by their Commercial Intercourse be involved in foreign Disputes and subject to naval Insults they over the mountains shall live in safety, being *procul a fulmine.*[6] Lands in the state of Georgia are burthened when sold by conditions of settlement; in So. Carolina there are hardly any vacant Lands, In North Carolina and Virginia no Conditions of cultivation are appended to the sale. We have been selling Lands in discharge of Debts that we owed to the Army or other Citizens and not from any desire of forming Colonies or sending our Citizens to a distance. When the Lands are once paid for, 'tis indifferent to us who occupies them, provided they are occupy'd by friends & associates or by *perfect neutrals* such as the present Quadruped Inhabitants. But the western Country will in fact be settled much faster than many of our Citizens wish, for People on 'tother side of the mountain will not assist in paying Taxes half so well as the same People would have done on this side. A Gentleman a Citizen of Philada who has just returned from visiting the Caintuckey settlemt. which is on the Ohio in Virginia some hundd. miles below fort Pitt assures me that the present Inhabitants are at least 40 Thousand. There is a County in N Carolina on t'other side of the Appellachian mountains calld Davidson County in memory of Genl Davidson one of my mother's Brothers who fell on the Bank of Catawba in defence of his Country; I am told that many Thousand Inhabitants have been added to that County in the Course of the last summer. I have some Lands In Davidson County which I am ready to sell on Terms that must be extremely easy to settlers and may fit mony'd gentlemen equally well. The Lands are ready to be delivered

perfectly clear with surveys and Deeds; I believe them to be of the very best Quality; because the man who took them up is very well acquainted with the back Country. He is a man of good Character, he was at liberty to fix on what spots he pleased out of 15 millions of Acres, and for his Trouble he draws a certain share of all the Lands that are survey'd, which share he is to get by Lott. If he has taken up any bad Pieces he must have been very indiscreet; his own Interest was at stake. I have paid in the first Instance for those Lands 25 Dlrs per hundd As. partly in Discount & partly in Cash, this is counted as hard mony; I then paid 25 per Ct of the whole for the Expence of looking them out, surveying them & taking out the Deeds. Whence the remaining Lands cost me just 33 1/3 Dlrs per hundd. As. In this computation I have no reference to what was given me. My Lands are situated in different Tracts on the great River that in some of the Maps is calld the Cherokee River and on the Tenessee River which is only the same River by another Name towards its head. If you know any Person who wishes to adventure a little in landed Property of this sort or who wishes to bring out a Colony to form a settlement, I will sell him Ten or fifteen Thousand Acres either in one body or in separate Tracts at 40 Dlrs per hundd As. There was a large Tract of 40 or 50 miles square laid off in that County and reserved for the Use of the Continental Line of our state. I have about 5000 As. in that Tract which I do not consider as better than the other Lands, But I know that an Officer lately, Genl Green, refused 20 Thousand Dlrs in silver for 20 Thousand As. that he holds within the same Tract, hence I am induced to believe that the Price at which I offer the Land is very cheap. As I don't know any difference in the Lands, the buyer may chuse by saying at once whether he will take the Lands next the Head of the River, next its mouth, or near the middle; or he may number the Deeds and draw his Quantity. Our state having offered to give up all its remaining vacant Lands to Congress, there are no more Lands to be taken up at present in that state. I have told you how the Case is in Virga, Georgia and So Carolina.

I greatly wish to see you and Mrs Ruston in America Though I hardly promise myself the Pleasure of living in your Neighbourhood. It is at least questionable whether the southern Climates would prove healthy to Mrs Ruston & the Children. In a Country perfectly new & strange the Society at least of a large Town would be desirable to a Lady much used to living in the World or among Company. I presume that a Life of absolute inactivity is not your Object. You will still amuse yourself by taking a slice at Physic. In any of our large Towns you may be sure at least to greese the wheels of your Carriage by it. Boston, New Port, New York or Philada preserve a high degree of Health and much social intercourse with the World. Baltimore full as thriving a Place and as social Inhabitants, perhaps not quite as healthy. In this

Town I think 500 Houses have been built on this Yea. Norfolk at present a heap of Ruines will soon be a great Town. At present it is very unpleasing for a Lady to be where nothing but the noise of Hammers salute the Ears and bare brick walls are presented to the Eyes. The Harbour abounds in shipping and the Warehouses are full. Perhaps you may ask whether in fact I prefer a Country which is generally considered unhealthy and which but thinly setled & having none but small Towns does not afford as much society as People in general desire! You must observe that the Climate of N.C. has proved to me among the most healthy I ever experienced, in that state too I have very numerous relations who have deserved well of the public. And having suffered much in Arms in that particular state I have acquired an affection strong as instinct in its favour. Let me add that the state has treated me with particular and pointed marks of Respect. I have twice recd the Thanks of the Genl. Assembly for my Services and have recd other and more substantial marks of their Regard. Such a State, in which I do not think that I have an Enemy, you may readily suppose has more Charms to me than it might have for a stranger. As to the Article of Health I believe Chas Town to be nearly as healthy a Place as there is on this Continent. For a man at Mr Fishers Time of Life I should suppose it preferable to any Part of England. However it will not for two or three Years be a place for families to remove to, because since the Conflagration and since the Peace tis difficult even to get the Corner of a House.

In all our Towns House Rent is very high, for during the War the Inhabitants of the Country in Spite of the Land increased in number but the buildings in the Towns in general decreased by fire or other accident. For Example the old House of Dr Thos Bond, the new House at the Corner not included, now lets for £200 per Ann. Some Houses in Chesnut Street near the State House 3 stories high & 20 or 30 feet long let for 700 to 1000 Dlrs per Annum. If a man could engage on good Terms and bring over with him a few bricklayers and Carpenters he might soon erect a Property of great Value. I shall write you as soon as I hear from Virga concerning your Lands there, in the meanwhile I believe I have given you no reason to think that I am weary of your long Letter unless you suspect that I have been taking revenge by writing twice as much. Give my Compliments to Mr Fisher and to my very good & much esteemed friend Mr Ruston & believe me to be with the utmost Regard Dr Sr, Your obedt servt,

Hu Williamson

RC (PHi: Tench Coxe Papers).

[1] Ruston has been previously identified in these *Letters*, 20:355.

[2] Not identified.

[3] Probably his letter to Lord Mansfield which was published anonymously in London in 1775 under the title *The Plea of the Colonies*, and attributed in the second edition to "A Native of Pennsylvania." See *DAB;* and Evans, *Am. Bibliography*, no. 15,713.

[4] That is, "argument from necessity," "argument of the purse," and "false argument."
[5] See Jacob Read to Washington, August 6, note 2.
[6] That is, far from lightning.

Samuel Hardy to Benjamin Harrison

Sir. Philadelphia 7th November 1784.

I am thus far on my way to Trenton, & expect to take my seat tomorrow. They have not yet made a Congress, the four Southern states, only being represented. It seems generally agreed that we shall not remain at Trenton, & as generally supposed that the remove will be either to this place, or New York. Conjectures are various who will be appointed President—Mr Jay, Mr Laurens, or Mr Lee I hear are all mentioned.

It is reported that a declaration of War has taken place between the Emperor & the United Netherlands, but with what Certainty I cannot undertake to say. Should it be the case it will give us a Number of industrious & useful Citizens.

Permit me to introduce to your Excellency Mr Heyward & Mr Middleton of South Carolina; your Acquaintance with their Connections—& their own deportment will I trust apollogize for the freedom.

With great respect, I have the honour to be, Your Excellencys Mo Obedt humble servant, S. Hardy

RC (Vi: Continental Congress Papers).

James Monroe to James Madison

Dear Sir Trenton Novr. 7 1784.

I enclose you a cypher which will put some cover on our correspondence.[1] We have yet only 5 States, & not a man from the Eastward except Mr. Holton. There is nothing new without doors, wh. I have not communicated to the Governor &, of those within I must defer writing you, untill the next post; the present is certainly an important crisis in our affairs, but as I shall write you very fully by the next post shall only add that I am with Great respect & esteem yr. friend & servant, Jas. Monroe

RC (DLC: Madison Papers).

[1] For the enclosed cipher, which Monroe began using in his November 15 letter to Madison, see Madison, *Papers* (Hutchinson), 8:125–26.

Samuel Holten to James Warren

Dear Sir. Trenton, 11th Nov. 1784.[1]

I have been honored with your attention of the 29th ultimo. I am sorry I had not the pleasure of seeing you before I sit out, but what induced me to leave home so soon, was to be present on the first Monday in Nov., as I expected a Congress at that time; however, I am yet disappointed there being only four states represented, I am the only person present from the eastward of N. Jersey. I fully agree with you, that, "we want good hands," & it gives me concern to hear that Mr Dana has resigned. I have reason to think a motion will soon be made (after we have a Congress) to adjourn to Philadela., & if the eastern states should not be fully represented, I think it will be carried in favor of a removal; & if that should be the case, I leave it with you to judge how it will operate.

I have the pleasure of knowing your son, & you may be assured of my attention & best services.

It is now a dead calm with us, but I hope it will not be long before the political ship will git under way, & that I shall be able to give you some favorable account of the voyage.

I have, with perfect respect, the honor to be, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Holten also wrote the following brief letter on November 12 to Moses Gill, concerning a public exchange he had had in Gill's behalf with Michael Hillegas, the treasurer of the United States. None of the papers enclosed with it have been identified.

"I was honored with yours of the 26th ultimo, the 8th inst. I immediately wrote to Mr. Hillegas, & this day recd. his answer, which I do myself the honor to enclose, with the account & papers accompanying the same, & I think it not necessary for me to add further, than referring you to his letter to me upon the subject; & if I have rendered you any service it gives me pleasure.

"We have not a Congress, there being only four states represented. I am the only person from the eastward of this State." Holten Papers, DLC.

Charles Thomson to Certain States

Sir, Trenton November 11t, 1784.

Pursuant to the Articles of Confederation the States of Georgia, South Carolina, Virginia and New Jersey attended here on the first Monday of this month, and also one Delegate from Massachusetts & one from North Carolina.[1] The States and Members present have waited with anxiety to this time in daily expectation of the arrival of Delegates from the other States, but finding themselves disappointed and being impressed with a deep sense of the many weighty & impor-

tant matters which nearly concern the welfare and happiness of the Union and which demand the immediate attention of the United States in Congress Assembled they have desired me to give your Excellency this information and to urge you in the strongest terms to send forward with all possible dispatch the Delegates appointed to represent your State in Congress.

With the greatest Esteem & respect, I have the honor to be &c.

LB (DNA: PCC, item 18A). Addressed: "His Excellency the Governor (or President) of Newhamshire, Massachusetts, Rhode island, Connecticut, New York, Pensylvania, Delaware, Mariland, N Carolina."

[1] According to Thomson's journal, only Georgia and Virginia had had two delegates present "on the first Monday of this month," but a second delegate each from New Jersey and South Carolina had arrived by November 11. See *JCC*, 27:641.

For the struggle to get the new Congress in session, see also Thomson to Certain States, November 29.

Charles Thomson to Daniel of St. Thomas Jenifer

Sir, Trenton Novemr. 11t. 1784

I had the honor to receive your favour of the 1st. I have not received any official advice from Mr. Ellsworth or Mr. Denning, but have been given to understand that the latter will certainly accept the Appointment & probably the former.[1]

A sufficient number of States have not yet assembled to proceed to business but it seems to be the wish of the Members present that you would come forward. At their desire I have ordered Mr. Phillips the Presidents Steward to proceed to Annapolis and bring up the furniture belonging to the President's household and as the Superintendant has resigned I am desired by the States & Members present to request the favour of you to advance to Mr. Phillips for the purpose of defraying his expences and for the removal of the goods the sum of two hundred Dollars, for which you will receive a Warrant from the President when elected.[2]

With great respect, I am &c, C.T.

LB (DNA: PCC, item 18A).

[1] Jenifer, along with William Denning and Oliver Ellsworth, had been elected a commissioner to the new treasury board created June 3, 1784. For Jenifer's inability to accept the appointment, see Thomson to Jenifer, October 19, note. Denning, despite Thomson's expectation, declined the appointment in a letter of December 6, and Ellsworth had already sent Thomson a similar letter of October 20. See PCC, item 78, 8:89–92, 417–18.

For the election of three new commissioners on January 25, John Lewis Gervais, Walter Livingston, and Samuel Osgood, see *JCC*, 28:18.

[2] See the following entry.

Charles Thomson to Richard Phillips

Mr. Phillips, Trenton November 11t. 1784

You are to proceed with all dispatch to Annapolis and bring from thence all the furniture and Utensils belonging to the Presidents House-hold.

On your return with them to Philadelphia you are to stop there, and wait for the Orders of Congress taking care, if it be necessary to load the Goods, to have them safely lodged & secured.

You are to engage a proper person to go down with the Horses and bring up the Coach.

You will deliver the enclosed Letter to Mr. Jennifer[1] and receive from him two hundred Dollars out of which you will defray the expences of yourself and the Coachman and for freight & removal of the Goods and furniture rendering an account to the President of Congress on your return.

I am Sir, &c, C.T.

LB (DNA: PCC, item 18A).

[1] See the preceding entry.

John Francis Mercer to James Madison

Dear Sir Trenton Novr. 12. [17]84.

Altho' I shoud have blush'd to have met you, after having so long delay'd repaying the money, you kindly advanc'd me,[1] yet the sincere pleasure I felt in the expectation of again taking you by the hand effaced every other impression & my dissapointment was real when I learn'd that you had return'd to the South without my meeting you. After you left me in Congress—I was subjected to the inconvenience—I may indeed say misfortune—of committing money to the care of four different friends, whose necessities were so urgent as to make them forget mine. This added to my expences in attending an itenerant Congress, surpassing infinitely the appointment from the State, has given a very unfavorable complexion to my conduct to you. At this moment I am unable to restore the whole of the money you loan'd me & the mode I have taken of remitting you 400 Dollars (whilst I hope it will answer perfectly your purpose) discovers my inability to adopt any other. You will be so good as to shew the enclos'd order to the Treasurer & consult with him. Inform him that I only desire the money to be paid you, at the time I might draw it myself, consistently with the Law of the State. Therefore if the forms of the Office require delay untill a quarter's salary has accumulated—notwithstand-

ing this specific sum will be soon due—I woud be oblig'd to you so to arrange the payment, as to comply with what is requir'd by him. As soon as my Crops can be converted into cash I will be punctual to pay the sum I shall still owe you.

Twelve days have expir'd since the time affix'd for the Reassembling of Congress, & as yet but four states are represented—Doctor Holten alone, has appear'd from the Eastern States. This total relaxation & innatention to the Confœderal Government (not to speak of the cause, but the effect) must necessarily have an exceeding evil tendency both at home & abroad. The judicious Men who have lately return'd from Europe, all agree, that the prevalent opinion there is—that we are verging fast towards anarchy & confusion—& some of them say, they were frequently asked by men otherwise well informed, whether we had any thing like Government yet remaining among us—& in this opinion they all join, that nothing is so ardently desir'd by the British nation & ministry, as a renewal of the War with us—that the same old leven that work'd to such effect in 72 was still strongly fermenting at the British Court. Colo. Monroe has lately arriv'd from Canada & our North Western Frontier. He says that every thing wears the most unfavorable appearance in that Quarter—the retention of the Posts—intrigues with the Indians, & in fine every measure in that Government, indicates a settled plan, unfriendly, if not hostile to the United States. From all this I am led to apprehend that if the war, which seems ready to burst forth in Europe, shoud break out, & France becomes involv'd therein (which her late engagements with the Dutch Republic render inevitable), that Great Britain woud keep her neck out of the halter, purposely to deal with us. The lightest visions of imagination, appear as solid ground of apprehension to a suspicious mind—but really suspicion becomes a virtue in a political Character where there is a consciousness of internal Weakness & total want of resource.

In my judgement there never was a crisis, Threatning an event more unfavorable to the happiness of the United States, than the present. Those repellent qualities the seeds of which are abundantly sown in the discordant manners & sentiments of the different States have produc'd great heats & animosities in Congress now no longer under the restraint impos'd by the war—insomuch that I almost despair of seeing that body unite in those decisive, & energetic measures, requisite for the public safety & prosperity. The scanty & irregular Supply of Money to the Continental Treasury, from the feeble & disconnected efforts, of the different States, have dwindled into nothing. Several States have not yet taken up the requisitions for 84. Some after taking them up, declare they do not understand 'em, & they all conclude in just the same point—that is they pay nothing. M. Morriss tells me that the Contributions of Virginia have alone kept the wheels of Govern-

ment in motion. Now notwithstanding it is much to be regretted, we must withhold too, or pay with a cautious hand—for why ruin ourselves to postpone a misfortune that must come at last, & perhaps the sooner the better. We pay greater Taxes than any people under the Sun & if neighbouring States will pay nothing—the effect must be the depopulation of our Country. This evil has already made a progress of fearful extent.

I can discover no resource for Congress but to adhere strictly to the plan Recommended in April 82 & to call on those States who have pass'd the Impost to carry it immediately in execution. The refusal of Rhode Island does not change the principle on which they agreed to it, or render the measure less necessary. I believe no other plan, short of divine wisdom, & not protected by the providence of God, woud meet the unanimous concurrence of these States—& at all events the necessary delay woud be fatal to our situation—for an Years interest will be soon due in Europe & all the interest here, without a Shilling to pay. If ultimately R. I. cannot by a demand of the principal due from her & some other certain mode be induced to consent to the only alternative of Public Justice—that of providing funds for the interest—if other States shoud fail to carry the Law into effect—the Willing States may recant before any great injury can arise. Such are my reflections, I wish I coud see others as sober & as serious as the occasion merits—but I am sorry to say that, always more anxious about where we shall sit, than what we shall do—our chief dispute now is whether we shall spend the Winter in Philadelphia or N. York. The advocates for Philadelphia are more numerous & more zealous, so that I suppose we shall revisit the State House. Wherever we go & whatever we do I shall remain yours with great esteem & sincere friendship,

John F. Mercer

[*P.S.*] I beg of you to remember me very particulary to Mr. Jones.

RC (DLC: Madison Papers).

[1] Mercer had borrowed $600 from Madison in October 1783, a portion of which remained unpaid as late as 1803. Madison, *Papers* (Hutchinson), 8:136n.1.

Samuel Hardy to Benjamin Harrison

Sir, Trenton 14 Novr. 1784.

I do myself the honor to inform your Excellency of my arrival at this place Six days ago. There is not yet a Congress, five States only being represented. Several Subjects of considerable magnitude await their decision. The refusal of the Commanding Officer in Canady to deliver the Posts ceded under the treaty, and their putting into commission

several Vessels which had been laid aside on the lakes on the Signature of the provisional Articles *wear* an unfavorable aspect. What measures Congress will pursue I cannot undertake to say.

The period is rapidly approaching when we shall be called on for the interest on the French & Dutch loans. Virginia & Pennsylvania have made considerable advances—some of the States very small ones—and others none at all.

Tr (Vi: Continental Congress Papers). Endorsed: "The foregoing is an Extract of a Letter from the Honorable Saml Hardy to his Excellency the Govr. Teste A[rchibald] Blair C[lerk] C[ouncil]."

James Monroe to James Madison

Dear Sir Trenton Novr. 15. 1784

You recd. I hope by the last post a small cypher from me.[1] At fort Stanwix you were necessarily acquainted with the {variance}[2] which had taken place between the {Indian comrs. of U. States}, & those {of N. York} as well as of the principles upon which they respectively acted & the extent to which they carried them.[3] As I reach'd {N. York} about eight days after you had left it & {the Indian comrs} were then on the ground & have not since made a stat'ment of their final transactions there. I have nothing new to give you upon that head. The questions wh. appear to me to arise upon the subjects {of variance} are 1. whether these {Indians} are to be consider'd as members of the state of {N. York}; or whether the living simply within the bounds of a State, in the exclusion only of an European power, while they acknowledge no obedience to its laws but hold a country over which they do not extend, nor enjoy the protection nor any of the rights of citizenship within it, is a situation wh. will even in the most qualified sense, admit their being held as members of a State? 2. whether on the other hand this is not a description of those whose manag'ment is committed by the confideration to the U S. in Congress assembled? In either event the land held by these {Indians}, having never been ceded either by {N. York} or {Massachusetts} belongs not to the {U. States}; the only point then in wh. {N. York} can be reprehensible is, for preceding by a particular, the general {treaty}. This must be attributed to a suspicion that there exists in {Congress} a design to injure her. The transaction will necessarily come before us, but will it not be most expedient in the present state of our affairs to form no decision thereon? I know no advantages to be deriv'd from one. If the general {treaty} hath been obstructed the injury sustain'd in that instance is now without remedy. A decision either way, will neither restore the time we have lost nor remove the impressions wh. this {variance} hath made with

the {Indians} & in the {Court of G. Britain} respecting us. If the right {of Congress} hath been contraven'd shall we not derive greater injury by urging it to the reprehension of {N. York} who holds herself aggriev'd in other respects than by suffering our sense of that delinquency to lay dormant? Our purchases must be made without her bounds & those {Indians} whose alliance we see inhabit a country to which she hath no claim.

{Mr. Marbois} is dissatisfied with the decision of the {Court of Pennsylvania} in a particular affair.[4] His own conduct in the management of that business previous to the decision, obtain'd the entire approbation of the {King of France} as he is assur'd in a letter from {the minister} of marine, and certainly he conducted it in as high a tone as {the minister} the most jealous of the honor of {the King of France} cod. have done. Since that period he hath not recd. the orders of his {Court} & in the interval hath some difficulty how to act. If {Congress} go to {Phila.} he says he will be precluded from a personal attendance or communication there. I have consider'd this matter more attentively since I saw you & think that in whatever character we hold the man we cannot surrender him to the {Court of France} even if {Pennsylvania} wod. accede to whatever we desir'd. That all they have a right to expect is that he be punish'd agreeably to the laws of {Pennsylvania} & that if they are not adequate, others be made for preventing the like in future, wh. might [*be*] effected by a recommendation from {Congress}. The variance wh. took place between the members of the {committee of the States} wh. terminated in their abrupt dissolution, by a secession on the part of some members, is also an affair which may come before us. But had we not also better keep this affair out of sight & while we lament they could not in that instance be calm & temperate, prevail on them if possible to be so in future? But the more interesting object is the {variance} between us & {Great Britain}. Indeed the former derive their consequence principally from the weight they may have in forming her conduct with respect to us. If they are hostilely dispos'd these circumstances will tend to give them confidence. My letter to {Governor Harrison} gave you what had taken place in {Canada}.[5] I am strongly impress'd with the hostile disposition {of} that {Court} towards us. Not only what I saw, but the information of all the American gentlemen lately from {Great Britain} confirm it, & particularly one of {Maryland}, one of {Pennsylvania}, & {Mr. Laurens} who is now with us. The former two have lately return'd to the continent. We are certainly in no condition for {war} &, while we preserve the honor & dignity of the {U. States}, must earnestly endeavor to prevent it. If they will comply with the conditions of the late {treaty}, as we must on our part do whatever it enjoins, our situation is as happy as we cod. expect it. The sooner we are ascertain'd upon this point the better it will be for us. We must suppose they will comply with the {treaty} & surrender the {western posts} & it is therefore our

business to make provision for taking possession of them in the Spring. {The minister} whom we may order to that {Court} to obtain an answer upon this head & cultivate its good wishes toward us, will we trust inform us by the Spring that the {western posts} will be given up & the troops whom we may raise for that purpose will of course be applied to the garrisoning of them. Many of the {western posts} I have seen & think 1200, the smallest number we shod. think of. But yet we have no Congress nor is the prospect better than when I wrote you last. All my associates are here except Grayson. I beg of you to write me weekly & give me your opinion upon these & every other subject which you think worthy of attention. A motion will certainly be made as soon as we have a Congress for its removal hence, to wh. shall we give the preference {N. York} or {Philad.}. We know not whom we shall have for {the President of Congress}. The {Deligates} of {So. Carolina} think of {Mr. Laurens}, but if I may venture a conjecture from what I have observ'd, with respect to {Mr. Laurens's} intentions I shod. suppose his object was to attain the appointmt. to the {Court of Great Britain}; the rule heretofore adopted in the election of {the President of Congress} will I think be deviated from,[6] if this shod. be the case it is not improbable {R. H. Lee} may be elected. I have heretofore address'd my letters to Mr. Jones to Richmond but fear from the accounts I have of his health he hath not left home. Is this the case? I am with great respect & esteem Dear Sir yr. fnd. & servt.

Jas. Monroe[7]

RC (DLC: Madison Papers).

[1] See Monroe to Madison, November 7.

[2] Words printed in braces in this text were written by Monroe in cipher.

[3] For the context of Monroe's observations and his exchange with Madison concerning the conflict between Congress and New York over treaty making with the Six Nations, see J. David Lehman, "The End of the Iroquois Mystique: the Oneida Land Cession Treaties of the 1780s," *WMQ*, 47 (October 1990): 523–39; and Madison, *Papers* (Hutchinson), 8:156–59.

[4] That is, the case of Julien, chevalier de Longchamps, who had assaulted the French consul general in Philadelphia in May for which he received a $200 fine and two years in jail. See Thomas Mifflin to the Chevalier de La Luzerne, May 31, 1784.

[5] See Monroe to Benjamin Harrison, October 30, 1784.

[6] That is, the practice of rotating the presidency among the state delegations; no member from New Hampshire, Rhode Island, North Carolina, or Georgia had yet held the office.

Richard Dobbs Spaight addressed this point in a November 6 letter to John Francis Mercer from Philadelphia:

"On talking with the gentlemen who have returned from Trenton, I find they do not approve of the plan of having a President for the Week, they wish to have him for the year with the Table as Usual, but incline to break thro' the rule, which seems to have been tacitly consented to by Congress, that is, that each State should have a President, before any One should have two: After it has gone thro' all the States Except four, I think it would be treating them with particular indignity to throw them out, unless Congress thought it was necessary to place the presidency upon a different footing, such as the mode you propose, or some other which would materially alter it. The South Car-

olinians in case this should take place, are for putting Laurens in the Chair. I don't know the gentleman, or what his abilities are, but this I think, that his conduct during the time he was a prisoner in England was not such as to intitle him to the honor of being a second time Elected President—besides if the rule is broke thro' other States have men in their Delegations whom they would wish to bring forward and with as much propriety I am sure as So. Carolina can Mr. Laurens." Roberts Collection, PHC.

[7] The preceding day Monroe had written a letter to Wilson Cary Nicholas of Virginia, describing his trip to western New York and Canada, an extract of which appeared in the *Collector*, 68 (January-February 1955), item n. 61. "Those observations I had an opportunity to make respecting the movements of the Brith. government in Canada, I communicated to the Executive who have I suppose handed them to the Assembly. Untill the absolute declaration there is, it is true, no certainty of war, but I am fully persuaded it wd. give them pleasure, I mean the ct. of London, that we shod. give them an opportunity to quarrell with us. The whole nation are dissatistfied with the late peace, & are if I am well inform'd restless for an occasion to retrieve the publick honor & loss. On our part if we have reason to be satisfied with it, we shod. comply with all the conditions of it with a religious truth."

Monroe went on to observe that John Francis Mercer was "desirous of being appointed in the Executive. . . . I think him better qualified for that than the office wh. he holds. His talents certainly qualify him for either but from his particular warmth of temper or prejudice against characters or states a conduct similar to that must be injurious here."

Richard Henry Lee to Samuel Adams

My dear Sir, Trenton in N. Jersey Novr. 18. 1784

The same cause that deprived me of the pleasure of hearing from you sooner in answer to my former letter, has in great degree prevented me from sooner acknowledging the receipt of your favor of Septr. 23d 1783; which I received in the following winter, when laboring under a long continued, severe illness, that had nearly ended my days. I thank God that I am now pretty well recovered. Insomuch, that I have been prevailed on, once more to take a seat in Congress; my brothers three years having ended with this federal year. I am much grieved my dear friend, to observe the wonderful lassitude that prevails in public affairs. It is now eighteen days since Congress ought to have assembled here, and as yet we have but five States. It surprises me that these five are all Southern. None but the worthy Dr. Holten from your State being yet arrived from the eastward; whence, formerly we used to derive most punctuality, alacrity, and judicious dispatch of public business. Yet there are many subjects of great importance, that demand the speedy, temperate, wise, and firm discussion of Congress. We have seen here the late report of a Committee of the Privy Council in G. Britain upon the petition of the W. India planters and Merchants, soliciting an open and liberal trade with these United States. In this report, all the illiberal & senseless principles of commerce that are scattered thro Lord Sheffields book, are taken up and recom-

mended. The report was laid upon the Table of the House of Commons—But it seems that the Parliament is prorogued without touching the subject of their Commerce with us. So that it remains on the old ground of proclamation, interdicting our Trade with the B. West Indies, but thro the medium of British Vessels. It is not difficult for an attentive and diligent enquirer to discern the old Leaven working in the British councils. The same men still rule in secret, the same measures are wished to be practised upon. Nor does it signify much whether a Pitt or a North comes forward upon the Stage. The Nation too, like a strong, proud, & sullen Man angry from unexpected defeat, and imputing misfortunes to Casualties, would seem not averse to a second trial. I remember when once I detested the moderate character. At this moment I think that moderation, wisdom, firmness, and attention, are the principles proper for our adoption: and highly becoming the dignity of our successful situation. Being always prepared for the worst, the best events will not be unpleasing. It is observable that great hopes are entertained beyond the waters from the expectation of discord, disunion, & apathy on our part. I sincerely wish that they may be disappointed. We understand that Silas Deane & Arnold are in frequent conversation with the British M[iniste]rs—And it is said that the former composed part of the book adopted by Lord Sheffield. Indeed, the principles of that book are precisely the same with those contained in one of Mr. Deane's intercepted letters in 1781. What kind of conduct are we to expect from G. Britain, when its councils are mixt with gall, and when the acrimony of blasted ambition and avarice is permitted to insinuate itself? I shall be extremely happy to be aided by your counsels during my residence in Congress. Our letters may, in this direct line of post, be secure—especially as the times are not quite so inquisitive as formerly. I beg that my best respects may be presented to Mrs. Adams, and remember me, if you please, to Gen. Warren, to Mr. Gerry & Mr. Lovell.

I am dear Sir most sincerely and affectionately your friend,

Richard Henry Lee

RC (NN: Samuel Adams Papers).

Richard Henry Lee to Thomas Lee Shippen

My dear Cousin,[1] Trenton Novr. 19. 1784

This mornings post put into my possession your favor of the 17th instant, and I thank you for it with great sincerity. I am very happy to hear that Mr. Reed is in your delegation,[2] and I should have been much more so, if your worthy father had been there likewise. It greatly

smooths the rugged paths of politics, to travel them with men of ability, integrity, and candor. We are as remote from having a Congress, as we were 19 days ago[3]—with the southern delegates at Philadelphia, and those of your State inclusive, we have but Six States and an half represented. But one delegate as yet from the eastward, whence formerly proceeded the most industrious attention to public business. I do not like this lentor, this strange lassitude in those who are appointed to transact public affairs. I am here placed in the house of a Mr. Howe, where I have a good warm bed chamber, and other conveniences to my satisfaction. The streets of the Village in this rainy season, are most disagreeably wet & muddy. How long we shall remain here, it is not in my power to say. Mr. Woolcot, one of the Commissioners for the Indian treaties has come here with a Treaty concluded very satisfactorily with the Six nations.[4] He says that the other two Commissioners are gone to Pittsburg to treat with the Western Indians, and he apprehends that they will accomplish their business on that quarter with facility. I am a good deal distressed about my horses—if they go to vendue, they will sell for nothing. If they remain unsold, they will eat more than they are worth. At this place I think they would not sell, because here are so many for sale. If they were in Virginia, I should have no doubt of being able to sell the two for 40 or 50 pounds. In this state of things I can devise no mode of proceeding but the following, which by your friendly offices may perhaps be accomplished. My namesake Mr. Lee of the Indian Queen, is a goodnatured, obliging person, and I understand that he has something to say with the Stage that goes to Virginia. But tho this last should not be the case, his interposition with Twinings Stage may obtain what I want; which is, that my horses be received to work their way to Alexandria in Virginia so as not to injure them, but only to travel them reasonable distances at a time and giving them due rest & food—which will at once ease their Cavalry, and accomplish my purpose of getting my horses to Virginia. At Alexandria they are to be deliverd to Mr. Fendall (with the inclosed letter) who lives about half a mile from the Town and is well known there. If Mr. Lee will undertake the affair for me, I shall certainly succeed, & my horses will not be injured in going back—Which latter may happen by overdriving—not properly resting & properly feeding. Will you be so kind as try your talents at negotiation with Mr. Lee? Julius Caesar shewd his ambition as much when he preferd being the first *man* in a *small Village* to the *second* in *Rome*; as when he grasped the Imperial purple. So evidence may be given in small negotiations of superior fitness for great affairs. I will inclose you a letter for Mr. Fendall to go with the Horses, upon a presumption that your address will be surely successful. I am glad to know that Mr. Quanier promises well, and I expect he will remember that the promises of a Man of honor are sacred.

Present my best love to your Father, Mother, & Sister—And when you see the Old Gentleman do not forget me with him.

I am my dear Cousin your affectionate Uncle and sincere friend,

Richard Henry Lee

[P.S.] Will Mr. Hiltzheimer be so kind as have attention paid to my horses backs while they Stay? They shd. be put to Oats & dry hay 2 or 3 days before they Travel.[5]

RC (DLC: Shippen Family Papers). Lee, *Letters* (Ballagh), 2:295–97.

[1] Shippen (1765–98) was the son of Lee's sister Alice and Dr. William Shippen, Jr. (1736–1808) of Philadelphia. Randolph S. Klein, *Portrait of an Early American Family: The Shippens of Pennsylvania Across Five Generations* (Philadelphia: University of Pennsylvania Press, 1975), pp. 214–19.

[2] That is, Joseph Reed, who had been elected a delegate for Pennsylvania on November 16, but chose not to attend Congress.

[3] Lee had also complained to Shippen on November 10 that "We have not yet a Congress—perhaps it may be next week before we get members enough. Strange insensibility this, to public duty!" He also observed that "As far as I can judge, from the conversation here, if Congress moves from this place, Philadelphia stands the fairest chance to be the seat of its future residence." Shippen Family Papers, DLC; and Lee, *Letters* (Ballagh), 2:292–93.

[4] See the following entry, note 1.

[5] Lee's horses (and a special order for black silk breeches he had placed with Shippen's tailor in Philadelphia) were also the principal subject of several letters he subsequently wrote to Shippen on November 22 and 24, and December 3, 13, 15, and 29, which are in the Shippen Family Papers, DLC; and Lee, *Letters* (Ballagh), 2:301–4, 307–10, 312–14, 320–21.

Richard Henry Lee to James Madison

Sir Trenton November 20. 1784

I wish it were in my power to give you the satisfaction that I know it would afford you to be informed that Congress was assembled and proceeding well with the public business. Unfortunately, we have not yet a Congress, & altho twenty days are elapsed since the time appointed for its meeting, but 4 States have been convened. No doubt Colo. Monroe has informed his Correspondents of the intelligence he received on his Tour to Montreal, Niagara &c. that one reason assign'd for detaining the western posts from the United States was, because Virginia had not repealed her laws that impede the recovery of British debts. It is sincerely to be lamented that our State should be so charged, and it is much to be wished that the Advocates for retaining those laws wd. no longer insist upon furnishing pretext for detaining from the U.S. possessions of such capital importance to the Union as these posts are. I have the honor to inclose you a copy of the treaty lately made at Fort Stanwix with the six nations. It was brought here

by Mr. Wolcott,[1] who informs us that the other two Commissioners were gone to Pittsburg to hold a treaty there with the western nations—he apprehends (from the content that appeard at fort Stanwix among some Shawanese chiefs) that the commissioners will not find much difficulty in treating with the western Indians. The accounts that we daily receive of the powerful emigrations from our State to Georgia, to North & South Carolina, & from the interior parts to Kentucki, are very alarming. The causes assigned, are two—the desire of removing from heavy taxes, and the search after land. It certainly becomes our Legislature to consider this point with great attention, and to remove, or lessen the causes that effect the depopulation of the country. Do you not think Sir, that the Taxes might be considerably lessened by funding all our debts, both foreign and domestic—And then, by imposing such Taxes only as will most punctually pay the interest & sink the principal by very slow degrees and for support of the Civil list? This would satisfy the public creditors, because the certainty of receiving the interest will render the principal vendible on good terms. It seems to me, that by this mode, the tax might be considerably lowerd from its present enormous height. I think that I may venture safely to say, that our Revenue, Certificate, and all other taxes, amount in the aggregate to a heavier taxation than prevails in any part of the world! Upon this circumstance, I find some British writers founding the hope of our depopulation. It surprised me a good deal that our last Assembly did not take up and adopt, for the ease of our fellow Citizens, the Facilities given by Congress in their Act of the 28th of April last.[2] By this Act (which I understand is before the Assembly) one fourth of the federal demand against us, may be discharged with Certificates of interest for money loaned the U.S. or for interest on liquidated debts of the U. S. If these certificates were by law made receivable in the Revenue tax, it would certainly & considerably facilitate the payment of that Tax.

It seems that the parliament of G. Britain was prorogued without any thing being done respecting our Trade with them, altho a Committee of the privy Council, upon the petition of the W. India planters & merchants for a free trade between them & the U. S. had reported an approbation of all the silly, malign commercial restraints upon our trade with their W. India islands, that are to be found in Lord Sheffields book on the Commerce of the two countries.[3]

I have the honor to be, with much esteem and regard, Sir your most humble servant, Richard Henry Lee.

ENCLOSURE

Articles of a Treaty concluded at Fort Stanwix on the 22d day of October 1784 between Oliver Wolcott, Richard Butler, and Arthur Lee Commissioners plenepotentiary from the United States in Congress Assembled on the one part and the Sachems and Warriors of the Six Nations on the other part.

The United States of America give peace to the Senecas, Mohawks, Onondagas, & Cayugas, and receive them into their protection upon the following conditions.

Article 1st. Six Hostages shall be immediately delivered to the Commissioners by the said nations, to remain in possession of the United States till all the prisoners, white & black, which were taken by the said Senecas, Mohawks, Onondagas and Cayugas, or by any of them, in the late war, from among the people of the United States, shall be delivered up.

Art. 2d. The Oneida and Tuscarora Nations shall be secured in the possession of the Lands on which they are settled.

Art. 3d. A line shall be drawn, beginning at the mouth of a creek about four miles east of Niagara called Oyonwayea or Johnsons landing place upon the Lake named by the Indians Oswego, and by us Ontario. From thence Southerly in a direction always four miles east of the Carrying path between Lake Erie and Ontario to the mouth of Tehoseroron or Buffaloe Creek on Lake Erie. Thence South to the north boundary of the State of Pennsylvania. Thence West to the end of the said north boundary. Thence South along the west boundary of the said State to the river Ohio. The said line from the mouth of Oyonwayea to the Ohio shall be the western boundary of the Lands of the Six Nations, so that the Six Nations shall and do yield to the United States all claims to the country west of the said boundary, and then they shall be secured in the peaceful possession of the lands they inhabit East and North of the same, reserving only Six miles square round the fort of Oswego to the United States for the support of the same.

Art. 4th. The Commissioners of the United States in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States, upon the signing of the above articles, will order goods to be delivered to the said Six nations for their use and comfort.

RC (DLC: Madison Papers). Enclosure endorsed by Lee: "Treaty at Fort Stanwix between the United States & the six Nations. October 1784."

[1] Oliver Wolcott had reached Trenton the preceding day with the treaty signed on October 22 by himself and his fellow commissioners, Richard Butler and Arthur Lee, and by the sachems and warriors of the Six Nations. The treaty fixed the western boundary of the Indian domain and secured the Oneidas and Tuscaroras, who had sided with the United States during the war, in the possession of their lands, while it compelled the hostile Senecas, Mohawks, Onondagas, and Cayugas to give up six hostages pending the release of all hostages. Wolcott submitted the treaty to Congress on November 30, the day after it first convened a quorum, along with an October 22 speech of the Oneida chiefs and an October 26 letter from the commissioners which were referred to committee. When Congress considered the committee's December 2 report on the 3rd, it postponed action, resolving only to transfer the troops at Fort Stanwix to West Point. The treaty itself was not approved until June 3, 1785, when it was taken up in conjunction with the January 21 Treaty of Fort McIntosh negotiated by Butler and Lee. See *JCC*, 27:659–60, 723, 28:423–24; and PCC, item 56, fols. 137–40, 309–16, item 135, fols. 172–74, item 174, fols. 1–3, item 186, fol. 167. See also Thomas Mifflin to the Indian Commissioners, March 22, 1784; and the following entry, note.

[2] See *JCC*, 26:300–309, 311–14; and Thomas Mifflin to the States, May 6, 1784.
[3] See these *Letters*, 20:608n.1.

Richard Henry Lee to George Washington

Dear Sir, Trenton in N. Jersey Novr. 20. 1784

I should sooner have done myself the honor of writing to you, if it had been in my power to have communicated any thing agreeable— But I could only have informed you that we had not, have not, nor can we say when, Members enough will be assembled to make a Congress. As yet we have but four States convened. This lassitude in our public councils must afflict our friends, and encourage the hopes of our Trans-Atlantic foes, who look at us with an evil eye. Mr. Wolcott arrived here yesterday with the Treaty made at Fort Stanwix with the Six Nations, and he informs us that the other two Commissioners have proceeded to Pittsburg to treat with the western Tribes. He thinks (from the satisfaction that appeared among some Shawanese Chiefs who were at Fort Stanwix) that the Commissioners will not find much difficulty in their treaty with the western Indians. I have the honor to inclose you a copy of the Northern treaty, and shall be happy to know your opinion of it.[1]

I understand from Mr. Wolcott, that the Commissioners of the United States met many difficulties thrown in their way by N. York, which they overcame at last by firmness and perseverance. It is unfortunate when individual views obstruct general measures, and more especially when a State becomes opposed to the States; because it seems to confirm the predictions of those who wish us not well, and who cherish hopes from a discord that may arise from different interests. Colo. Monroe, of our delegation, who is lately returned from a Tour to Montreal, Niagara, and Lake Erie, informs us that he learnt in his journey, that the western posts were to be detained from us; and that the reason assigned was, because of the conduct of N. York and Virginia. The former for pushing the law of confiscation beyond the terms of peace, and Virginia for not repealing the laws that impede the recovery of British debts. The Governor of N. York told Colo. Monroe, that it was a mistaken charge upon them, for that they had not confiscated since the provisional articles. It is to be lamented that any pretext should be furnished for injuring us in the essential manner that the detention of these posts will do. The Parliament, it seems, is prorogued without touching the subject of their trade with us, altho a committee of the privy Council upon the petition of the West India merchants and planters, had reported an approbation of all the silly, malign principles of Lord Sheffield respecting our trade with the

B. W. Indies. This book of Lord Sheffields has been ably answerd by several writers in G. Britain. My respects, if you please, to your Lady—I hope that she has recoverd her health.

I have the honor to be, dear Sir, your most obedient and very humble servant, Richard Henry Lee

RC (PHi: Gratz Collection).

[1] A copy of the Fort Stanwix treaty, in Lee's hand, is in the Washington Papers, DLC, together with a copy in a clerical hand which Arthur Lee had enclosed in a November 19 letter from Carlisle, Pa. See also the preceding entry, note 1. For Washington's December 14 reply, see Washington, *Papers* (Abbot), Confederation Series, 2:181–83.

Jacob Read to Benjamin Guerard

Sir Philadelphia 20th. Novr. 1784.

My last Letter was by Captn. Strong of the Ship Philadelphia & dated 31st Octr.[1] in answer to your Excellency's dispatch of the 17th of Septr. last past.

When I wrote I entertained the most sanguine hopes that the New Congress wou'd soon have made a House & have proceeded with Alacrity & dispatch on the various & important business now on the Files & ready to be acted on.

In this however I have the Mortification to have been mistaken. Three Weeks have elapsed & we have not assembled more than four States, vizt—Georgia, So. Carolina, Virginia, & New Jersey, with one Member from Massachusetts & one from No. Carolina. Pennsylvania indeed only elected her new Delegation on Tuesday last—that of the last Year was so near expiring that it was not worth the trouble of a journey to Trenton. We are at a Loss to conjecture what keeps back Maryland,[2] the Delaware State & New York. Further Eastward I believe their General Courts are sitting at this Season & 'tis probable the Members elected may choose to keep their seats thro' the session in Order to come on fully possessed of the sentiments of their respective Legislatures. I have placed their absence in the most favourable point of view—so great Inattention at this Moment is however very unpleasing.

We hope on Monday or Tuesday to have No. Carolina on the Floor,[3] & also think by that time the Pennsylvania Delegation may be ready to attend. If then New York & Delaware shou'd pay any attention to a Circular Letter the States attending at Trenton instructed the secretary to write on the 11th Instant,[4] we may hope to assemble a proper quorum of the states for ordinary Purposes in the Course of the next Week—but without a full House we cannot touch the important Matters in which the nearest Interests of the Union are involved.

I have the Pleasure to inform your Excelly. that on Wednesday last Mr. Woolcott one of the Commissioners of the United States for negociating peace with the Indians arrived at Trenton with the Treaty concluded on or about the 24th of October (I am not pointed as to the date) with the Six Nations.[5] Our Commissioners have gained a most advantageous Line of division of Property from those people & have secured effectually all the carrying places to & between the Lakes as well as proper Territory round the Posts that may hereafter be necessary to be fix'd by the united states for protection of the settlements of the Country & the security of the Traders.

As all our foreign Advices remain under the seals with which they have come to hand, I cannot speak authentically of any European Transactions.

We have heard of the arrival of Mr. Jefferson one of the Commissioners for negociating Commercial Treaties in Europe &c in Paris & that he was well received by the French Court; & the Minister of the United Netherlands in a Conversation yesterday seems to think the differences between the Emperor & their High Mightinesses will be compromised without a War. This Opinion is also confirmed by Monsr. de Marbois Chargé Des Affaires of the Court of France to Congress.

It gives me great pain to find Colo. Laurens is under the necessity of leaving the delegation at this time. He is upon the Point of setting out by Land from this place, having left Trenton on Wednesday last.[6] His great abilities & thorough Information in our European Affairs are highly necessary in Congress at the present which I believe is generally admitted to be a most critical Period to the United States especially to the Commercial Interests of the Union.

I am with the greatest respect, Sir, Your Excellency's Most obedt. & Most huml. Servt. (signed) Jacob Read

Tr (ScCoAH: Governor's Messages).

[1] Not found.

[2] At about this time Read also queried James McHenry about the failure of the Maryland delegation to appear. "As to your question," McHenry responded on December 5, "it can only be answered by the slowness of government in making appointments, and the general disinclination in men to leave their own business, which is generally more profitable, than serving in Congress. This State I believe will soon fix upon their delegation, but when we shall be represented I cannot say." Sol Feinstone Collection, no. 851. DLC microfilm. The Maryland delegation—Samuel Chase, John Henry, William Hindman, McHenry, Luther Martin, and Gustavus Scott—was actually selected on December 4 and 17, but did not attend in Trenton. McHenry joined Congress when it reconvened in New York on January 12, Hindman on February 8, and Henry on March 11; the others did not attend. See *JCC*, 28:3, 47–48, 136.

[3] Richard Dobbs Spaight did not join Hugh Williamson until November 29. *JCC*, 27:642, 645–46.

[4] See Charles Thomson to Certain States, November 11.

[5] See Richard Henry Lee to James Madison, this date, note 1.

[6] Henry Laurens had arrived in Philadelphia in August hoping to report on his European mission and to urge Congress to negotiate a commercial treaty with Great Britain.

His abrupt departure on November 24 thwarted the plans of the South Carolina delegates to elect him president. See David D. Wallace, *The Life of Henry Laurens* (New York: G. P. Putnam's Sons, 1915), pp. 420–21.

Samuel Hardy to Benjamin Harrison

Sir. Trenton 21st. November 1784.

The last week has given birth to nothing of material Consequence. The Assemblies of most of the states to the Eastward of this being now met, their members have not yet attended, and we are of course without a Congress. When we consider the important Objects which demand the most early Attention of the fœderal government, & the unfavourable impression which this inattention must produce both here & in Europe I cannot but lament it as a most unfortunate Circumstance.

General Woolcot one of the Commissioners whom we appointed for Negociating treaties with the Indians arrived here three days ago. He brought a treaty concluded with the six Nations at fort Stanwix.[1] The Commissioners have guarantied to them all their land within the state of New York except the Posts of Oswego & Ni[a]gara with the carrying place, & four Miles along the lake from Niagara to Buffalo Creek which empties into lake Erie. The six Nations in return have ceded to the united states all their *claim* westward between lakes Erie & the Ohio.

The other two Commissioners are going to fort Pitt for the purpose of holding treaties with the Indians in that quarter. From the advanced season & an aversion which I am told the Indians discover to treating seperately I fear Nothing great will be effected. With great respect, I have the honour to be, Your Excellencies Mo. Obedt. humble servant, S. Hardy

RC (NjMoHP: Lloyd W. Smith Collection).

[1] See Richard Henry Lee to James Madison, November 20, note 1.

Charles Pinckney to Benjamin Guerard

Sir Trenton November 22d. 1784.

I did myself the pleasure of writing your Excelly. on the 2d Instant[1] by Captn. Strong—since this Mr. Bull, Mr Read, Colo. Laurens & myself have been waiting the Meeting of Congress until Wednesday, when Colo. Laurens left us for Philadelphia on his return to Charleston, where he expects to arrive by the Middle of the next Month.[2] Mr. Read says he will take his seat for a few Weeks, but that he will certainly return with his Mother & sister (who are at present in Philadelphia) in the course of the next Month, & expects to be in

time for the Meeting of the Legislature.[3] Mr. Bull & myself will remain & shall be obliged to your Excelly. for all such Communications as you may think necessary to make upon subjects that will probably be agitated in Congress, & in which the Interests of our state may be involved.

We are waiting the determination of Congress respecting their either remaining here, or removing to some more convenient place, where the Members may be better accommodated & the dignity of the Union better supported. Several places are mentioned, but wherever we may fix, your Excellency may depend upon hearing from me frequently & fully upon every subject of a public Nature. The great scene of commercial Politics will soon be opened & the Intentions of the British Court developed. The evident design of retaining the Posts on the frontiers contrary to the Treaty—their restraining commercial Regulations in general & the Report of a Committee of their Privy Council respecting the West India Trade, evince something on their part, very unfriendly to the Interests of this Country. These will be the first topics of discussion after we have fixed a permanent residence, & you will easily perceive we have a sufficient share of business to engage our closest Attention during the Winter. We shall probably make a Congress next week. The New York & Delaware delegates are expected by Sunday, & the Massachusetts' & Connecticut in less time.

I have this moment had the Treaty concluded between our Commissioners & the six Indian Nations put into my hands—it is the most concise & comprehensive thing of the kind I ever saw. Notwithstanding the many Attempts from some of the neighbouring states to obstruct it, the influence of the British emissaries & the neighbourhood of their posts, the Commissioners have formed a treaty infinitely more advantageous than could have been expected. They have recovered all our prisoners, established a protection to the frontier inhabitants, & obtained the Cession of a very rich & extensive territory. I shall be extremely glad to hear from You, & remain with respect, Your Excellency's Most obedient, (signed) Charles Pinckney

Tr (ScCoAH: Governor's Messages).

[1] Not found.

[2] See Jacob Read to Guerard, November 20, note 6.

[3] To the contrary, Jacob Read did not apply for a leave of absence until March 8. See Read to George Washington, March 9, 1785, note 2.

Samuel Holten to John Hancock

Sir. Trenton, 23d Nov., 1784.

The commissioners appointed by Congress to negotiate with the Indians, having compleated a treaty with the six nations, I do myself the honor to enclose a copy.[1]

We are here much in the same state, respecting making a Congress, as when I addressed your Excellency last, there not being a member from New England but myself, & only Mr. Jay from New York, the southern states, in general, are represented.

I can't but observe, that the first Monday in Decemr. next, is the day assigned by Congress for the appearance of the states of Massachusetts & New York, by their agents. I expect we shall make a Congress before that day, & I understand Mr. Jay & Mr. Duane, is to appear in behalf of New York.[2] I must suppose the Gentlemen from Masstts., who was appointed by the honorable Court to manage that matter,[3] will attend to the same; but if they should not arrive in season, I shall be altogether at a loss for reasons to assign for their not appearing.

I have, with the greatest respect, the honor to be, your Excellency's most obedient servant, S. Holten

RC (M–Ar: Revolutionary War Letters).

[1] See Richard Henry Lee to James Madison, November 20, note 1.

[2] As well as both Robert R. and Walter Livingston, for which see New York Agents' Journal, December 4–9, note 1. Egbert Benson, the fifth New York agent appointed, was not expected to appear.

[3] That is, John Lowell and James Sullivan, in addition to the regular Massachusetts delegates expected to attend Congress this session, Elbridge Gerry, Rufus King, and George Partridge.

George Partridge to Elbridge Gerry

Dear Sir Trenton 24th. Novr. 1784

I am at length arrived at Trenton after a tedious passage of almost three weeks, occasioned by Storms & Contrary Winds.

Only four States are represented here viz Georgia, South Carolina, Virginia & Masstts. The Delegates of North Carolina & Pensilvania are expected this evening, which with New Jersey will make a Congress. Who will be President, a few Days will probably determine. For my own part I dont know who is thot of. Mr. W——n[1] (noted for his Bravery) probably thinks of himself, but he is generally singular in his opinion. R. H. Lee is here, whose Character *rather* intitles him to his Country's Notice. Colo. Mercer is also here, who talks much of going on with the publick Business, with *temper & good humour!!!*

I wish that you would inform me where the papers of the Delegates were deposited. If you took them home with you, I hope you will come soon & bring them, or at le[a]st, I hope you will be here at the time you talked of.

I am with the highest esteem your friend & humbl Servt,

Geo Partridge

[*P.S.*] I expect an effort will be made to remove Congress to Phila.

RC (DLC: Elbridge Gerry Photostats).
[1] That is, Hugh Williamson.

Richard Henry Lee to James Madison

Dear Sir, Trenton November 26. 1784

I received your agreeable letter the day after mine of the 28th instant had been dispatched.[1] I thank you Sir for the very particular and satisfactory information that you have favord me with. It is certainly comfortable to know that the Legislature of our country is engaged in beneficial pursuits—for I conceive that the Gen. Assessment, and a wise digest of our militia laws are very important concerns: the one to secure our peace, and the other our morals. Refiners may weave as fine a web of reason as they please, but the experience of all times shews Religion to be the guardian of morals—And he must be a very inattentive observer in our Country, who does not see that avarice is accomplishing the destruction of religion, for want of a legal obligation to contribute something to its support. The declaration of Rights, it seems to me, rather contends against forcing modes of faith and forms of worship, than against compelling contribution for the support of religion in general. I fully agree with the presbyterians, that true freedom embraces the Mahomitan and the Gentoo as well as the Xn religion. And upon this liberal ground I hope our Assembly will conduct themselves. I believe there is no doubt but that the population of our country depends eminently upon our Revenue laws, they therefore, demand intense consideration. It is natural for men to fly from oppression to ease, and whilst our taxes are extremely heavy, and North Carolina & Georgia pay little or no tax, it is not to be wonderd that so many of our people flock to these States & unfortunately they are carrying to Georgia & South Carolina the Cultivation of Tobacco. I do not mean by this, that we should suffer ill example to prevent us from honorably and punctually paying our debts. But I think that we may fairly practise here, as other Nations the most honest do—I mean, exactly to pay the interest, and slowly to sink the principal. An attempt to do the latter too suddenly, will ruin, by depopulating, the country. The only mode appears to be, a funding of the whole debt, so as certainly to pay the interest, and slowly the principal. Cannot a sinking fund be brought to bear upon the latter, by throwing all overflowings of taxes into a Reservoir for gathering interest upon interest? I suppose that at all events, the facilities offerd by Congress in their Act of the 28th of April last will be among the amendments to the Revenue law this Session.

The people have certainly sufferd much hitherto by not knowing in season what taxes are lawfully demandable from them. For want of

this information, numbers are compelled to submit to the extortion and abuses of Collectors. The Treasurer used formerly to publish annually in the papers what were to be the Taxes of the year, and this practise was then very useful. But at present, the dispersion of newspapers is so uncertain, that information thro that channel would reach but few. A Statement from the Treasury printed in the way of Handbills, to be put up at the Court Houses & churches, might perhaps furnish the requisite information, & save the people from extensive abuse. I am very happy to know, for the honor of our country, that there is a probability of the impeding laws being again taken under deliberation. What I wrote to you in my last upon this subject, is a most serious consideration, and the inclosed paragraphs, taken from a late paper, will shew you how quickly the fame of our proceedings travels, and the effect likely to be produced upon our Commerce!

By the 5th article of the Confederation, the annual meeting of Congress is to be on the first Monday in November, and by our Act establishing one yearly meeting of the Assembly on the third Monday in October; you will see Sir, that there is very little probability of Virginia being represented in Congress for some time after its federal day of meeting. So that it becomes necessary to consider this matter. I suppose that either the Assemblies time of meeting must be altered, or the Delegates for the ensuing federal year be chosen this present Session.[2] We have not yet made a Congress but we have some reason to expect eight States on Monday next. I understand that Spain means to insist upon the exclusive navigation of the Mississippi, which will render the exploring our western waters of the greater importance.

I am dear Sir, with great esteem and regard Your most obedient and very humble servant, Richard Henry Lee

P.S. If the election of Counsellors is not over, may I be permitted to suggest what I realy believe will improve and fortify the counsels of that Board. It is, that Major Gen. Gates be appointed a Member of it. He has a pretty good estate in Berkeley, is a single Man & therefore not withheld from due attendance by domestic considerations. But above all, he is a Man of great worth, solid judgement, and sound attachments to America. A propos—It is by many here suggested as a very necessary Step for Congress to take—The calling upon the States to form a Convention for the Sole purpose of revising the Confederation so far as to enable Congress to execute with more energy, effect, & vigor the powers assigned it, than it appears by experience that they can do under the present state of things. It has been observed, why do not Congress recommend the necessary alterations to the States as is proposed in the Confederation? The friends to Convention answer—It has been already done in some instances, but in vain. It is proposed to let Congress go on in the mean time as usual. I shall be glad of your opinion on this point, it being a very important one.

R. H. Lee

RC (DLC: Madison Papers).

[1] Although he clearly wrote "28th," Lee was referring to his letter of November 20. Madison's letter, written about November 13, has not been found. Madison, *Papers* (Hutchinson), 8:151n.

[2] During its biannual meeting in May the Virginia assembly had provided for the election of five delegates to Congress, three of whom were to attend at all times. But it also opted for only a single October meeting of the assembly thereafter, thus creating a problem of timely attendance for the slate of delegates to begin serving in November 1785 unless they were elected at the previous session a year ahead of time. In his December 11 response Madison regarded the dilemma as a "serious matter," but questioned whether the election of delegates a year before they were to serve was not "a rather singular expedient." The General Assembly agreed and chose to tolerate, in its acts of November 1785 and 1786, the delay its new delegates would experience in attending Congress. See ibid., p. 181; and Hening, *Statutes*, 11: 365–66, 387–88, 12:26–27, 243. See also Lee to Madison, December 27, note 3.

John Francis Mercer to James Madison

Dear Sir Trenton Novr 26th. [17]84.

The Gentlemen from the Eastward have at length made their appearance & I expect in a day or two a Congress will be once more form'd. This commencement however has discovered so great a relaxation in the Confœderal springs that I doubt the machine will not be long kept in motion, unless great & effectual repairs are made. For my part I have no hopes but in a convocation of the States. In this measure I yet see safety, it is the disposition of the people of America to place their Confœderal Government on the most respectable basis—& the patriot fire is not yet extinguish'd—but I do not know how long it will last—there will be a motion made early in the ensuing Congress for such a Convention.

I woud suggest to you a subject on which I find my Colleagues & myself concurr & indeed which we have determin'd to mention to our friends in the Legislature. The recess of Congress the last year, was the first I believe since the Revolution & the situation of the members consequently new & unexpected both by themselves & the State. I must confess that I consider the with drawing the allowance during that period, as unworthy the dignity of the Government & as it is injurious to her representatives, it will in the end prove detrimental to her interest.[1] When Gentlemen quit home & their domestic employments—& are carried to a considerable distance from their own State—it cannot be expected that their presence for a Small interval, will be of any service to their private affairs—in fact they are by their appointments disengaged thoroughly from all pursuits but their public avocations & their style of expence cannot be temporarily suppress'd or altered for the time of this recess.[2] I am therefore not only interestedly but politically of opinion that it woud be the wisest & most honourable conduct for the Legislature to pay us during the re-

cess altogether. So. Carolina, make an allowance by the year, nearly equal to the extent of our appointment on the supposition we charg'd for every day, & yet their Members complain of the inadequacy of the provision. Mr. Hardy & Colo. Monroe tell me they have suggested this matter to their friends. If they shoud view in the light I do the subject will be probably agitated. I know you have been so long subjected to the inconveniences of bad & insufficient pay, that I can add nothing your own reflections will not readily furnish. Believe me Dr. Sir Yr. very Affectionate friend & h[umb]le Ser. John F. Mercer

RC (DLC: Madison Papers).

[1] Virginia treasurer Jacquelin Ambler had apparently balked at paying Mercer and the other Virginia delegates $8.00 per diem expenses following the unprecedented recess of Congress in June and the dissolution of the Committee of the States in August, despite the fact that Mercer had attempted and failed to fill Samuel Hardy's position on the committee. See, for example, Jacob Read to Mercer, September 7, note; Mercer to Read, September 23; and Mercer to Benjamin Harrison, September 16, and October 6 and 20, 1784.

[2] Mercer continued to have difficulty meeting his expenses in Virginia as he indicated in a December 12 letter to merchant John Fitzgerald concerning the payment of an order from a Mr. Graham. "I am forced to try to sell a bill on you to raise some Money, what we all stand exceedingly in need of here. If you have not as much of mine in your hands, I expect there is Tobacco in Alexandria which I beg you'd sell for this purpose. I am inform'd Corn sells very high in Alexandria. I expect I have near 400 Barrells for sale." Fitzgerald Papers, DLC. Fitzgerald was previously identified in these *Letters*, 20:315.

James Monroe to Joseph Carleton

Dear Sir, Trenton Novr. 26. 1784.

I was favor'd with yours of the 12th a few days since. You were thoroughly acquainted with my sentiments of those arrang'ments which we shod. have adopted at Annapolis as well as of those which were ultimately carried.[1] If I was then anxious that we shod. not entirely disarm ourselves & leave the military affairs of the union, as well of command as the ordinance & other stores afloat, our present situation alone wod. determine my conduct. The posts are certainly not evacuated & in addition to this I was appriz'd in Canada, in a trip I took, during the recess of Congress, that the commanding officer had recd. orders to hold them, in consequence of wh. he had put the vessels in commission wh. had been laid aside under the provisional treaty, upon the lakes Erie, Ontario & Champlain. I was at Ft. Erie, Niagara, & the posts on the St. Lawrence as far as Montreal & saw no step wh. argued a disposition to evacuate the posts within our bounds, but if a contrary disposition existed in the Ct. of London I am more fully impress'd with the necessity, from the view I have had of that country of keeping posts on the lakes; upon that alone will the direction of the

conduct of the Indians & the fur trade depend. We have it in our power to avail ourselves of those advantages if we will not shut our eyes agnst. measures, wh. point their own necessity; but if we loose the present moment we shall not only loose them ourselves but add them to the resources of the Brith. Province of Canada. Upon the Missisippi, our attention is call'd by the conduct of Spn., she is stimulating the Indians agnst. us & will I hear deny us the right of navigation. Our situation, in every view, requires the wisest arrangement of our affairs in every department, and it will be particularly incumbent on us to have those of yr. department well attended to. It will be, for yet we have but six states, among the first objects of Congress. I cannot determine what course Congress will pursue, but my own opinion is, yr. presence shod. be immediately requir'd here. Nor can I say in what light you are at present consider'd, but I shod. suppose certainly in command, or rather, in the service of the States;[2] of this you may rest assur'd that the last Congress, & I am well satisfied this will do the same, entertain'd an high sense of your merit & services & will be happy to give you the most honorable testimonials of it. Believe me I shall with pleasure seek any opportunity to serve you, as in doing it I am thoroughly persuaded I am at the same time, more especially in the present state of our affrs., rendering service to my country. I am with great respect & esteem dear Sir your friend & servant,

Jas. Monroe

RC (MeHi: Fogg Collection).

[1] Monroe had anticipated in early June that Congress would provide sufficient troops to take possession of the British posts on the frontier and to garrison West Point, but the plan had been severely reduced to placate the New England and New York delegates, for which see New York Delegates to George Clinton, April 9, and Monroe to Thomas Jefferson, June 1, 1784, note 4.

[2] Assistant secretary at war Carleton, who had assumed direction of the war office at Philadelphia in November 1783 following the resignation of secretary at war Benjamin Lincoln, now considered himself to be "Superintendant of the War Office." See *JCC*, 25:804–5; and PCC, item 60, fols. 139–44. See also William Grayson to Timothy Pickering, April 27, 1785, note 2.

Samuel Hardy to Patrick Henry

Sir. Trenton 29th November 1784.

I do myself the honour to inform your Excellency that on this Evening at 4 OClock we formed a Congress for the first time. The states were called, & the Credentials of the Members read; but we proceeded neither to business, or the election of a President.[1]

The state of Connecticut have passed an Act authorizing Congress to carry the impost into effect when twelve states have adopted it.

Should this oblique stroke at Rhode Island be countenanced by similar Acts in different parts of the Union, it will establish a precedent which in future Cases of embarrasment that flow from the obstinacy of an individual state, may prove eminently serviceable.

With great respect, I have the honour to be, Your Excellencys Mo Obed. humble Servant, S. Hardy

RC (Vi: Continental Congress Papers).

[1] See *JCC*, 27:641–47.

Charles Thomson to Certain States

Trenton November 29th. 1784

The above is a Copy of my Letter of the 11th to which I have not had the honor of receiving an answer.[1] I am now to inform you that six States are attending namely, Massachusetts, New Jersey, Virginia, North Carolina, South Carolina & Georgia and from the State of Pennsylvania Mr Gardiner.[2] It is the most earnest desire of the States attending that Your Excellency would urge the Delegates appointed to represent Your State to come forward with all possible expedition as any longer delay may be very injurious to the Union.

With the greatest respect, I have the honor to be &c.

C.T.

LB (DNA: PCC, item 18A). Addressed: "To the Governor or President of Newhampshire, Rhodeisland, Connecticut, New York, Pensylvania, Delaware, Maryland."

[1] See Thomson to Certain States, November 11.

[2] Actually, William Henry of Pennsylvania also attended this day, enabling Congress to convene a quorum later this afternoon, officially opening the new Congress. See *JCC*, 27:641–42.

John Beatty to Charles Stewart

Dr sir Trenton 30th Novr. 1784

Colo. Dick, having received by Express, an Acct. of the dangerous Illness of his Wife, was obliged to retire immediately to attend on her & it is equally uncertain, (whether she should recover or not,) when the Colo. may return—in either Case most probably not in less than a Month. We made a Congress Yesterday, & have now Eight States on the Floor—it is therefore Mr. Houstons,[1] & My wish, that you would immediately give your attendance & when Colo. Cadwallader returns, you can either Continue your Seat or retire, as may best suit your Circumstances.[2] Mr. Dick & Myself are in quarters with Mrs. Norris &

during his absence, you may occupy his Bed—perhaps we may all be provided for together. Be so good as to bring with you a servant. I am Dr Sir with much Esteem, your obedt. Hum Serv.,

Jno. Beatty

RC (NCooHi: Stewart Papers).

[1] New Jersey delegate William Churchill Houston, who resided and practiced law in Trenton, wrote a letter the following day to Robert Morris, the New Jersey jurist. The letter, concerned solely with the details of two cases he was currently conducting, is in the Robert Morris Papers, NjR.

[2] The journals do not record Stewart's presence in Congress prior to December 11, but in a statement of account "For my Attendance as Delagate in Congress" appended to this document, he subsequently claimed compensation: "from the 8th to 22d November 1784, 15 days; From the 8 Decr. to 23, 16 [*days*]; from the 7th January to 18th April 1785, 102 [*days*]; from the 20th May to 10 July, 52 [*days*]; [*and*] from the 10 Septr. to 10th Octr., 31 days."

Samuel Holten to John Hancock

Sir. Trenton, 30th Nov. 1784.

I have the honor of informing your Excellency, that this day eight states were represented in Congress, & have elected the honorable Rich. Henry Lee their president.

My honorable Colleague, Mr. Partridge, arriv'd here last week; & by a letter this day receiv'd, I may expect Mr. Sullivan & Mr. Lowell are on their Journey.[1]

I have, with perfect respect, the honor to be your Excellency's most obedient servant, S. Holten

RC (R–Ar: Revolutionary War Letters).

[1] Unlike George Partridge, Holten's fellow delegate in Congress, James Sullivan and John Lowell were expected in Trenton in their capacity as agents in the proceedings over Massachusetts' claim to lands within New York which were to begin December 6.

Samuel Holten to Israel Hutchinson

Dear Sir.[1] Trenton, 30th November, 1784.

I intended to have waited upon you again before I left home, but had so many things to attend to, I could not get time. I concurred with the judge of probate, respecting any demands against the estate of Mr. Whipple deceasd, he informed me that if they were for taxes for hiring a soldier, which is really the case, they should be paid by the Admx. & not brought in, in your account as commissioners & he should allow the whole to the admx.; therefore, I have to request your

attention to the same, & desire you would mention the matter to the admx. or the person that represents her, and endeavor to procure me the money. I left the notes with my son Jethro Putnam, & I wish you would speak with him upon the affair; I should not have given you this trouble, had I not known your disposition to oblige, therefore, I can't doubt your attention, which will lay me under renewed obligations.

I have been a month in this place waiting to make a Congress & I hope we shall have one this day, but it is yet uncertain. Our commissrs.[2] have settled a treaty of peace &c. with the six nations of Indians, which I think is much in our favor.

We have no intelligence here that deserves your particular attention. I have been much indisposed since I arrived here but my health is better.

Please to make my kind respects to Mrs. Hutchinson.

I am, with particular esteem & regard, your sincere friend

FC (MHi: Holten Papers). In the hand of Samuel Holten.

[1] Hutchinson has been identified in these *Letters*, 15:68n.

[2] That is, Richard Butler, Arthur Lee, and Oliver Wolcott, whose October 26, 1784 letter concerning their negotiation of a treaty at Fort Stanwix was assigned this day to a committee consisting of Holten, William Ellery, Samuel Hardy, James Monroe, and Hugh Williamson. PCC, item 56, fols. 137–40, item 186, fol. 167. It was undoubtedly in his capacity as chairman of this committee that Holten also wrote the following note to Wolcott this day ("Tuesday evening"). "Dr. Holten presents his compliments to the honorable Genl. Wolcott, & informs him, that he has it in charge from a Committee of Congress, to desire Mr Wolcotts attend[anc]e before the come. to morrow at 10 o'clock in the come. chamber, in the house where Congress sits." Americana Collection, MiDbEI. And on December 2 ("Thursday noon") he wrote: "Dr Holten presents his compliments to the honl. Mr Wolcott, & acquaints him, that the come. think they shall not want to ask him any more questions, & therefore don't wish him to continue in this place on that acct." Holten Papers, MHi.

To fellow committee member William Ellery he wrote "Wednesday morn": "Dr. Holten presents his compliments to the honorable Mr Ellery, & requests his attend[anc]e upon a come. of Congress this morning, at 10 o'clock in the Come. chambr., in the house where Congress sits." Holten Papers, DLC.

Samuel Holten to John Kettell

Dear Mr. Kettell.[1] Trenton, 30th. Nov. 1784 (7 o'clock evening)

I have only a few moments before, the mail will be closed to sit out to the eastward.

I have wrote to Mrs Holten twice[2] since I have been here; and I desire you to make my apology to her for not writing by this post.

We have this day made a Congress for the first time since I have been here, and we have appointed the honorable Richd. Henry Lee of Virginia President.

I am too much in hast[e] to give you any advice about things at home, &, it is unnecessary as your conduct is always so agreeable to

my mind, however, I wish you to take particular care that there is milk in plenty for the children, & also take care of your fires.

I have wrote to your brother at Gorham since I have been here.[3]

I would ask you to inform me how you all do, but I know your engagements, but will you inform Mrs. Holten that a short letter directed to me & sent to Mr. Dana's on Friday evening will come very safe to me. My health is better so that I have been out several days. My duty to mother, love to Mrs. Kettell & all the dear little ones.

Yours with affection, S. Holten

RC (IMunS: Continental Congress Collection).

[1] John Kettell has been identified in these *Letters*, 14:510n.

[2] Not found.

[3] Not found.

Charles Thomson to the States

Sir, Trenton Novr. 30 1784

I have the honor to inform you that eight States being met the United States in Congress assembled have this day proceeded to the choice of a President & have elected for the ensuing year his Excelly Richard Henry Lee.[1]

I have the honor to be, Sir, Yr most Obed & most h serv

LB (DNA: PCC, item 18A).

[1] See *JCC*, 27:649. Lee's election, according to Richard Dobbs Spaight, was achieved "after seven or eight ballottings" (Spaight to Alexander Martin, December 6), or "after a dozen different ballottings" (Spaight to Edward Hand, December 28).

Charles Pinckney to Benjamin Guerard

Sir Trenton in New Jersey Decr. 2d. 1784

I have the pleasure to inform your Excellency that Congress assembled at this place on Monday, & on Tuesday proceeded to the election of a President when the Honorable Mr. Richard Henry Lee of Virginia was appointed. We have now nine States on the floor, & a Gentleman from each of the States of New Hampshire & Connecticut attending. The Delegates from the States of New York & Maryland are hourly expected, so that in the course of the Month we have no doubt of having a very full & compleat representation of the Union.

From the appearance of things I am of opinion we shall enter upon the many & important Affairs before us with Unanimity & Decision. There seems to be a determined spirit in the present Con-



Richard Henry Lee

gress to adopt such measures as will most probably tend to support the dignity & credit of the Continent—in doing this I trust the present Members from So. Carolina will exert themselves as far as their Abilities will enable them, & as they perfectly agree in sentiment upon the principles of every important question that may probably be agitated during the present Session, I think I may venture to assure your Excellency that while they attentively guard the rights of the State they represent, they will do every thing in their power to promote the general Welfare, convinced that the Commerce & Consequence of the several States must eventually depend on the dignity & Stability of the fœderal Government.

Your Excellency may be assured of receiving such official Communications from time to time, as it is our duty to make.

I remain with Respect, Your Excellency's Most obedt. humble servant,

(signed) Charles Pinckney

Tr (ScCoAH: Governor's Messages).

Charles Thomson to Sundry Printers

Sir December 2 1784

The delegates in Congress having a desire to be furnished with your – – – – – –, I have to request you to send forward regularly forty copies under cover directed to The United States in Congress Assembled.[1]

I am, your most obt & most humbl Serv.

LB (DNA: PCC, item 18A).

[1] Thomson had been directed, by a motion adopted this day, to obtain "from each of the States of Pennsylvania, New Jersey and New York forty of each of their newspapers for the use of the members of Congress." See *JCC*, 27:657. The following list of recipients of this letter and names of the newspapers used to fill in the blank above was written by Thomson at the foot of the page of his letterbook.

"Hall & Sellers—fill the blank wth. Gazzett.

"Dunlap & Claypoole	Pensylvania Packet
"Thomas Bradford	Pensylvania Journal
"Francis Bailey	Freeman's Journal
"Eleazer Oswald	Independent Gazeteer

"Isaac Collins—New Jersey

"Mr Mclean of New y[ork] } your news papers
"Mr. Holt do }
"Mr Saml. Loudon do }
"Mr Shephard Kollock" }

For the cancellation of this order and the adoption of another directive for providing newspapers for the use of the delegates, see Thomson to Sundry Printers, March 1, 1785.

Joseph Platt Cooke to William Samuel Johnson

Sir Trenton Decembr. 3rd 1784.

I arrived at this Town the Day before yesterday, and found Congress had formed only the Day before, having elected the Honble. W. H. Lee Esqr. of Virginia President. Nine States were present yesterday in Congress;[1] the States of New Hampshire, Connecticut, New York and Maryland are not yet represented; there is however one Delegate present from each of said States, except the latter. I am informed there is a Prospect of a full Representation of all the States in a short time, an Event much to be desired at this time in a particular manner, and which it seems has very seldom happened of late years.

I was very particularly enquired of by the Members in general when Doctor Johnson might be expected, it being universally known that you had an Appointment. I mentioned the Week after next, they discovered not a little Impatience at so long a Delay, which I endeavoured to excuse by your recent Appointment to the Office and the Difficulty of immediately disengaging yourself from that Multiplicity of Business in which you were involved. I hope I did not set the time too short.[2] A Variety of Matters, some of which are of great and general Concern, are referred to Committees, which will probably take up some time to ripen. I earnestly intreat of you, Sir, to endeavour to be here before those Subjects are brought under Consideration.

I am Sir, with great Esteem, your most obedient and very humble Servant, Joseph P. Cooke

RC (CtHi: Johnson Papers).

[1] According to the journals only seven states "were present yesterday," the day Cooke took his seat in Congress, although nine were present on December 3d. See *JCC*, 27:654–55, 659. And Cooke should have written R.H. Lee for W.H. Lee Esqr. of Virginia.

[2] Johnson set off from Connecticut on December 21 but did not reach New Jersey until the 26th, two days after Congress adjourned from Trenton. According to his diary, he met Cooke that day at Hackinsack on the latter's return trip to New York. William Samuel Johnson Diary, NNC. Johnson thereupon returned to New York himself, and after being approached by the agents of Massachusetts on their land claims in the state of New York wrote to Jesse Root on December 28 for information on the evidence and arguments that had been used in the 1782 trial at Trenton over Connecticut's Wyoming Valley claims. "You know already," he concluded, "that Congress have adjd to this City to meet on the 11th of Jany & I am not informd of anything worth acquainting you of which has pass'd at Trenton except their having fix'd the Federal Town within 6 miles of the Falls of Delaware either above or below on this side or the other as shall appear most expedient on further consideration. And having resolv'd to send an ambassadr to the Court of Madrid to remonstrate on the subject of the Missisippi Navigation &c. Direct for me at Mrs. Miller's in [South?] Chh Street No 73 opposite the Chh, & believe me to be with sincere Compts to Mrs Root, & all yr agreeable Family. . . ." *Susquehannah Co. Papers*, 8:163–64.

Grand Committee Minutes of Proceedings

4th December 1784.[1]

Mr Morris' Letter 30th Septr & Papers relative to the Dutch Loan[2] Committed to the sub Committee ⟨*Mr Benson*⟩
Mr Williamson
Mr Howell
Mr Platt[3]

Mr Morris Letter 17th August 1784[4] Copying Mr De Marbois Letter to him on subject of the Loan by the King of France, the Chairman to Call on or write to the late Sup of Finance.[5]

Letter of 30th Septr; With Marquis La Fayettes Note & Accompanyments. Sub Committe[6] Mr Hardy
Mr Read
Mr

Instructions of the Legislature of Massachusetts on the subject of the foreign Gold & Silver Coin.[7]

This Subject Involves the Subject of a Mint. Minute to apply for the papers respecting the Money Mint, Mr Jeffersons Notes &ca.[8]

NB J Read has Mr Goveneur Morris's thoughts on this subject.[9]

Mr Howell is to write for Mr Jeffersons thoughts & Calculations a Copy of Which he has.[10]

MS (DLC: Peter Force Miscellany). In the hand of Jacob Read and endorsed by him: "Minutes of the Proceedings of the Grand Committee."

[1] According to Charles Thomson's "Committee Book," this committee was appointed on Wednesday December 1 to take under consideration letters from the late superintendent of finance Robert Morris of August 17 and September 30 concerning the payment of interest on Dutch loans and "Duties payable in free ports of France." It was directed "To meet in this room on Saturday next at 10 oclock," and consisted of: Abiel Foster, New Hampshire, George Partridge, Massachusetts, David Howell, Rhode Island, Joseph Cooke, Connecticut, Egbert Benson, New York, William C. Houston, New Jersey, John Vining, Delaware, William Henry, Pennsylvania, Samuel Hardy, Virginia, Hugh Williamson, North Carolina, Jacob Read, South Carolina, and William Houstoun, Georgia. It was renewed on January 17 (and April 6) with Rufus King replacing Partridge, Zephaniah Platt replacing Benson, Joseph Gardner replacing Henry, Charles Pinckney replacing Read, and recently arrived James McHenry assuming the Maryland seat on the committee. See PCC, item 186, fols. 168, 176; and *JCC*, 28:5–6n.

[2] This letter from Morris to Congress and enclosed papers on servicing the loan negotiated by John Adams in Holland are in PCC, item 137, 3:719–27.

[3] Read undoubtedly added Platt's name to this list and lined out Benson's after Platt was appointed to the committee on January 17. He also subsequently wrote in the margin at this point: "Reported & loan ratified by Congress." For this report and its adoption on February 1, 1785, see *JCC*, 28:27–28.

[4] This letter and enclosures are not in the PCC.

[5] Read later wrote in the margin at this point: "See afterwards more of this."

[6] This September 30 letter from Morris with a number of accompanying letters to and from the marquis de Lafayette on economic conditions and commercial opportunities facing American merchants in France are in PCC, item 137, 3:793–817. See also PCC, item 59, 4:39–118.

[7] This October 23 instruction to the Massachusetts delegates called on Congress to determine "the rate at which [foreign coin] ought to pass throughout the United States." PCC, item 65, 2:255–56. Its endorsements indicate that it was referred to this Grand Committee on December 3, and subsequently to a subcommittee composed of Hugh Williamson, William Henry, and James McHenry.

[8] For Thomas Jefferson's notes on coinage, see Jefferson, *Papers* (Boyd), 7:150–94.

[9] For Gouverneur Morris' April 30, 1783, "Ideas on . . . a New Coinage," see ibid., pp. 169–73; and Morris, *Papers* (Ferguson), 7:761–65.

[10] For the continuation of this committee's proceedings, see Grand Committee Minutes, January 29, 1785.

Samuel Holten to Timothy Pickering

Dear Sir. Trenton, 4th Decr., 1784.

Congress having thought proper to put the Treasury in commission, appointed three persons for that purpose, some time since, one of the gentlemen has declined serving, another is so much indisposed that he can't attend, & the third has given us no answer, so that Congress has determined to appoint two, & I suppose most three other persons: I have thought of you & mentioned it to some of the members who seem to be desirous of knowing whither it would be agreeable to you. Please to excuse the freedom I have taken, as it proceeds from real regard. An answer by the next post will lay me under obligations.[1]

I am, with particular respect, your most obedient, S. Holten

RC (MHi: Pickering Papers).

[1] See Holten to Pickering, December 11.

New York Agents' Journal of Proceedings

[December 4–9, 1784]

Journal of Proceedings in Execution of the Law appointing James Duane, John Jay, Robt. R. Livingston, Egbert Benson and Walter Livingston to be Agents for vindicating the State of New York against the claims of the Commonwealth of Massachusetts.[1]

1784 Saturday 4th December, Congress having assigned the 6th Instant for the appearance of the Agents from the States of New York and Massachusetts on the Controversy respecting their Boundary—at Trenton[2]—The Chancellor, Mr. Walter Livingston & myself set out this Day for Trenton. Mr. Walter Livingston & myself agreably to the Act, authorised the Treasurer to advance us 100 Guineas on Account and each of us gave him a receipt for 50 Guineas seperately.[3]

6th. Reached Trenton where we joined Mr. Jay & Mr. Benson our Colleagues.

7th. Were visited by Mr. Geary, Mr. Lovel, Mr. Sullivan, Mr. King, Dr. Holton & Mr. Pa[r]tridge the Delegates and Agents for Massachusetts; and returned their Visit. Invited them to dine with us the 8th to open the business in an amicable conference: they returned the Compliment for the 9th.

Decemr. 8th. Met the Massachusetts Agents at dinner and agreed each to name 13 persons, out of which to chuse Judges for constituting the federal Court.[4]

9th. Dined with the Agents for Massachusetts and exchanged lists of gentlemen proposed for consideration to constitute the Court.

The list proposed by New York[5]... Judge Smith, Beaty, Patterson, Read, Van Dyke, Johnson, Harison, Wythe, Munroe, Grayson, Hooper, Nash, Rutledge, Middleton, Gibbeys [Gibbons], Houstoun.

List proposed by Massachusetts, John Rutledge & Henry Laurens South Carolina, George Wythe, Col. Grayson, Theo. Bland, Jno. Blair, Arthur Lee of Virginia, R. H. Harrison Maryland, Henry Merchant, William Bradford, Governor Bowen, R. Island, John Langdon & Josiah Bartlet of New Hampr.[6]

The Agents taking into consideration that Mr. Wilson who was council for Pennsylvania against the Claim of Connecticut was possessed of information which might be highly useful in our contest with the Massachusetts, unanimously agreed that it would be our Duty to avail ourselves of that information and to retain Mr. Willson as Council on the part of our State and Mr. Duane was directed to present Mr. Wilson with 20 guineas as a council fee on behalf of our State accordingly.[7]

Tr (NHi: Robert R. Livingston Papers). In the hand of Walter Livingston, but obviously the work of James Duane, as "Mr. Walter Livingston & myself" are twice mentioned in the second paragraph where Livingston and Duane are clearly the subject.

[1] Of the five agents appointed "for vindicating" New York against Massachusetts' land claims, only Duane, who had been the preeminent authority on the state's boundaries for more than a decade, was not also a New York delegate to Congress at this time.

[2] See *JCC*, 27:547–50; and Massachusetts Delegates to the Massachusetts Assembly, June 4, 1784, note 11.

[3] Walter Livingston's claim for compensation "as an Agent" (November 25 to December 26, 1784) and "as a Member of Congress" (December 26 to April 7, 1785) also contains related information on the agents' activities. To support the account he submitted for compensation for 32 days as an agent at $8 per day and for 102 days as a congressional delegate at $5 per day, he included the following statement in suhstantiation.

"I hereby certify that I left the Manor of Livingston on the 25 of Novr. 1784, That I arrived in New York on the 30th of the same Month, that I left New York in Company with Mr. Duane & the Chancellor on the 4th of Decemr., That We arrived at Trenton in New Jersey where Congress were setting on the first Monday in said Month being the day assigned by Congress for the appearance of the States of Massachusetts & New York by their lawful Agents as will more fully appear reference being had to their Resolves of the 3d of June 1784, That I returned to New York on the 26th of said Month, Congress having adjourned to meet at that place on the 11th of Jany. 1785, That I continued my attendance until the 7th of April 1785 during which time I acted as one of the Agents in behalf of this State in conjunction with the other Agents. Yet I do not think I am entitled to more than 5 dollars a day after Congress left Trenton, being the allowance made

to the delegates, that on the 8th of April I accepted an appointment under Congress after which I conceive no wages ought to be allowed me by the State tho I continued to meet the other Agents whenever required and in conjunction with Mr. Duane & Mr. Jay drew on the Treasurer for Several Sums of money for the purposes of said Commission as expressed in said Drafts." Robert R. Livingston Papers, NHi.

[4] This day the two states' agents also appeared before Congress for the formal presentation and exchange of their credentials, for which see *JCC*, 27:666–72, 678.

[5] This "list" does not appear in the MS but has been supplied from a list of sixteen names written by Livingston on a separate small sheet of paper. The latter seems to have been used by the agents to tally their nominees, as various marks and checks appear in the margin beside 13 of the names, a process that eliminated John Beatty of New Jersey, Arthur Middleton of South Carolina, and William Gibbons of Georgia, leaving Isaac Smith and William Paterson of New Jersey, George Read and Nicholas Van Dyke of Delaware, Thomas Johnson and Robert Hanson Harrison of Maryland, George Wythe, James Monroe, and William Grayson of Virginia, William Hooper and Abner Nash of North Carolina, John Rutledge of South Carolina, and William Houstoun of Georgia.

Additional information on the selection process is also found in the following extract from James Duane's January 6, 1785, letter to his father-in-law Col. Robert Livingston. "I did myself the honor of writing to you by the Sloop when I was preparing to attend Congress to assist in appointing a federal Court for determining our important Controversy with the Massachusetts. We set out on the 4th and returned the 26th of December. After much Conversation and delay we agreed on nine Gentlemen to be our Judges any five to form a quorum. Mr. Robt. Hanson Harrison Chief Justice of Maryland (formerly Secretary to General Washington) was named by both parties. Mr. Tho. Johnson an eminent Lawyer and lately Governour of Maryland, Mr. George Reade of Delaware, Mr. Isaac Smith One of the Judges and Mr. William Patterson late Attorney General both of New Jersey were nominated by us, and by Massachusetts Mr. John Rutledge late Governour of South Carolina, Mr. George Wythe Chancellor of Virginia and Mr. William Grason & Mr. James Monroe of the same State. It is allowed to be a very respectable Tribunal and we entertain the highest hopes of a fair and candid Decision. The first Tuesday in June is fixed for opening the Court; the burthen of preparing for this great and important Contest is assigned to me. It woud not be so difficult a Task with the knowledge I already possess of the merits of the Claims if I was less exposed to Intrusion: you will readily believe that for my own Honour and the Interest of the State and of Individuals I will do the best in my power to answer the high Trust reposed in me." Johnston Redmond Collection, photostats in Edmund C. Burnett Papers, DLC.

[6] For the response of the New York agents to this proposed Massachusetts list, see James Duane's Notes, December 10–11, 1784.

The following day Congress directed the agents for the two states to appoint "by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question, agreeable to the ninth of the Articles of Confederation," and the results of their joint efforts were submitted to Congress on December 24. See *JCC*, 27:678, 709–10. The judges thus selected were George Read of Delaware, Isaac Smith and William Paterson of New Jersey, Robert Hanson Harrison and Thomas Johnson of Maryland, William Grayson, James Monroe, and George Wythe of Virginia, and John Rutledge of South Carolina. For the final exchange of names prior to agreement on the list of judges submitted to Congress, see Massachusetts Agents' Proposals and New York Agents' Proposals, December 23, 1784.

[7] The selection of judges for hearing this Massachusetts-New York dispute had proceeded routinely to this point. There remained but the determination of a site and a date for holding the hearing, and obtaining the consent of at least five of the judges selected to constitute a quorum. On January 21, 1785, Williamsburg, Va., was selected as the site and the following day representatives from the two sides certified that "the first Tuesday of June next" had been agreed upon for the time, a decision reached more than three weeks earlier, for the agents of the two states had reported this date in their

December 28 letter to James Monroe on the subject. However, difficulties were encountered almost immediately thereafter, as New York suddenly decided to oppose the choice of Williamsburg for the site, and notification of the judges was accordingly delayed. Subsequently, the Massachusetts delegates hired a private courier to obtain the acceptance of at least five judges who could assemble at Williamsburg by June 7, but the effort failed and the date was later postponed to November. Other difficulties arose thereafter, until both sides finally abandoned hope for resolving the dispute by federal court under the procedure set forth in the Articles of Confederation, and ultimately resorted to settlement by means of a joint Massachusetts-New York commission which met at Hartford, Conn., November 30, 1786. For a detailed analysis of the dispute by the editors of the legal papers of Alexander Hamilton, who was retained by New York in June 1785 to present the state's brief in the case, see *The Law Practice of Alexander Hamilton,* ed. Julius Goebel et al., 2 vols. (New York: Columbia University Press, 1964–69), 1:553–83. Aspects of the controversy can be followed in more than two dozen documents printed in the present volume of letters of delegates from both states who also simultaneously performed duties as agents in the case, for the first of which see James Duane's Notes, December 10–11, 1784.

Samuel Hardy to Patrick Henry

Sir, Trenton 5th December 1784.

The instructions from the legislature of Virginia to their Delegates in Congress came to hand by the last Post.[1] The Objects to which they point are interesting indeed, to the peace & prosperity of the Union in general, but more paticularly so to the southern states. The part directing the formation of treaties with the Indians had been anticipated by a report of a Committee which had been previously brought forward on that Subject.[2] It stands the Order of the day for tomorrow, & I hope to have the pleasure of informing your Excellency by the next Post that the views of the General Assembly of Virginia relative to treaties with the southern Indians have been fully complied with. The part touching the Navigation of the river Missisipi is referred to a Committee who had been appointed before our instructions came to hand, to take under Consideration a letter from Mr De Marbois who ushered in a kind of remonstrance on that Subject from a Mr Rendon, who is said to be invested with some public appointment from the Court of Madrid, but who as yet has produced no Credentials.[3] This is an important subject, & may involve in it Consequences very important to the Union. By the treaty of Paris in 1763 it was stipulated that both Great Britain & Spain should have the free use of the Navigation of the Missisippi from its source to the Atlantic Ocean—And G. Britain having ceded her right under the last treaty of peace, to the United states, we surely stand on the ground on which she stood, & are entitled to every right which she possessed. The refusal of Spain to admit us to participate of the Navigation, & the threat she has held out to confiscate the Vessels of our Citizens, I view as a National Out-

rage; which independent of Commercial Considerations, should not be passed over unnoticed. For in national as well as individual Controversies I hold it to be a principle pretty generally prevalent, that in proportion to the Concession and humiliation of one party, is the Arrogance & insult to be expected from the other.

Unhappily our Situation at present, from an assemblage of Circumstances, seems to proscribe every idea of War, & to subject us to national insult without the power of national resentment. But with nations as with Individuals there is a point of forbearance beyond which, neither can yield without dishonour, & sometimes without danger. Heaven forbid that Spain should drive us to this point!

I hope nothing on our part will manifest a disposition to rush prematurely & rashly into a rupture with her. I trust that whatever is adopted will be the result of calm & dispassionate reflection; & that the Measures of the Union will carry with them that Air of deliberation with the necessary firmness which will be the most likely to produce the desired effect. I congratulate you Sir on your appointment to the Office of Chief Magistrate of Virginia; May your Administration be happy to yourself & approved of by the state over which you preside.

Permit me to assure you that whilst I have the honour to continue in Congress it will give me pleasure to communicate to you any information which may have a tendency to amuse you in your private, or aid you in your public character. With great respect I have the honour to be, Your Excellencys Mo Obedt humble servant,

S. Hardy

RC (VtU: McCullough Collection).

[1] For the Virginia assembly's November 3 instructions urging negotiations with Spain over navigation of the Mississippi River and conclusion of a treaty with the southern Indians, see PCC, item 71, 2:379–82.

[2] For the report "previously brought forward," see Richard Beresford to Certain States, March 30, 1784, note 2. For its assignment to a new committee, see South Carolina Delegates to Benjamin Guerard, January 25, 1785, note 8.

[3] Spanish agent Francisco Rendon had transmitted a letter to Congress through the offices of French chargé d'affaires Barbé-Marbois informing them that the Spanish court did not recognize Great Britain's authority to cede to the United States the right to navigate the Mississippi River within Spanish territory, for which see Charles Thomson to Thomas Jefferson, October 1, note 3. Marbois' letter and its enclosures were referred on December 1 to a committee comprised of James Monroe, Charles Pinckney, and William Houstoun which submitted draft resolutions on or before December 6 that were later adopted on the 15th. In the meantime, however, Congress took up the Virginia proposition that "the Prosperity and happiness" of the state's western settlers depended on "the right of navigating the River Mississippi to the Sea," and its request that the American ministers in Europe be directed "to forward negotiations to obtain that end without Loss of Time." PCC, item 71, 2:379. Congress referred these instructions to Monroe's committee on December 6 (according to Charles Thomson's committee book) and enlarged it to include John Jay, Gunning Bedford, Jr., Samuel Hardy, and Elbridge Gerry. The full committee recommended the following day that Congress ap-

point a minister to the court of Madrid to negotiate "the interfering claims of the two nations," but consideration was postponed until December 15 when Congress instructed the secretary for foreign affairs to inform Marbois that his note of November 19 and enclosures had been considered and that Congress would endeavor "to cultivate the friendship of the Catholick King." On the 17th Congress further resolved to appoint a minister to Spain and directed the committee to prepare draft instructions which it submitted on December 23. Although Congress entertained nominations for the post on January 31 and February 2, the arrival of news in mid-February that Don Diego de Gardoqui had been appointed Spanish minister to the U.S. rendered moot the question of appointing a resident minister in Madrid. See *JCC*, 27:665, 687–90, 693–95, 705–6, 28:25n, 35n; and PCC, item 25, 2:369–71, 377–78, 391–93, item 186, fols. 167, 169, item 190, fol. 1. See also Richard Henry Lee to Patrick Henry, February 14, note 3.

For the problem of Rendon's lack of diplomatic status in the United States, see Light Townsend Cummins, *Spanish Observers and the American Revolution, 1775–1783* (Baton Rouge: Louisiana State University Press, 1991), chapter 7.

Abiel Foster to Meshech Weare

Sir. Trenton 6th. Decemr. 1784.

I have the honr. to inform your Excellency of my safe arrival at this place on the first Instant: some delay at Boston in waiting for the Stage from Thursday to the Monday following, prevented my arrival at an earlier day.

On the last of the preceeding Month, the day before my arrival, Congress had been formed for the first time, and had proceeded to make choice of the Honble. Richard Henry Lee Esqr. for their President. Ten States have already attended, and two more by one Delegate each, there is a good prospect that thirteen will soon be present. In so full a representation I flatter myself a proper dispatch will be given to the public business, and that the great concerns of the Union will be attended to, and considered with that coolness of deliberation which their nature, and importance demand.

I impatiently await the arrival of my Honble. Colleague,[1] and conclude before this comes to hand he will be on his way—should any thing have prevented, I must desire your Excellency to give every facility to his coming forward.

I have the honr. to be, with great respect, your Excellencys most obedt. Servt., Abiel Foster

RC (MHi: Weare Papers).

[1] That is, Pierse Long, who arrived at Trenton on December 24, the day Congress resolved to adjourn to New York, and who therefore did not take his seat in Congress until the delegates reconvened at New York on January 11, 1785. See Long to Weare, January 1; and *JCC*, 28:1.

James Monroe to James Madison

Dear Sir Trenton Decr. 6. 1784.

I enclose you a paper wh. will give you a state of the representation of the States, beside wh. little else hath taken place worthy yr. attention. Mr Jay is here & will I understand accept the office of foreign affrs. upon condition Congress will establish themselves at any one place.[1] The conduct of Spn. respecting the Mississippi &ca requires the immediate attention of Congress. The affr. is before a Committee. I think we shall leave this place & either remove to Phila. or N. York but to wh. is uncertain. I am very respectfully yrs.

Jas. Monroe

RC (DLC: Madison Papers).

[1] John Jay had been elected secretary for foreign affairs on May 7 without his knowledge or consent and did not learn of Congress' action until he arrived in New York on July 24. See Charles Thomson to Jay, June 18, note 2, and September 18, 1784. As late as October 20 he wrote Secretary Thomson that "I must decline accepting the Place offered me, at least until the Sense of Congress may be known on two or three points. . . . as I have a Family it is necessary in my opinion, that my Residence should be stationary—and I think it both reasonable & important that the Persons to serve under me in the office, should be of my appointment." Thomson Papers, DLC. Jay was elected a delegate to Congress on October 26 and attended from December 6 to 24. For his acceptance of the foreign affairs post, see Elbridge Gerry to James Warren, December 23, note 4.

Richard Dobbs Spaight to Alexander Martin

Sir, Trenton New-Jersey 6th Decemr. 1784

A Congress was not formed untill the 29th Ulmo. and then only by seven States, to wit, Georgia, So. Carolina, No. Carolina, Virginia, Pennsylvania, Jersey & Massachusets, as it was late in the day before they collected, nothing was done except reading the Credentials of the Delegates—on the 30th the State of Rhode Island was represented, & Congress proceeded to the Choice of a President, after seven or eight ballottings Mr. Richd. Henry Lee of Virginia was elected.[1]

There are Several matters of very great moment now before Congress, but none which I think bears so serious and alarming an aspect as the dispute between Spain & the United States, respecting the navigation of the Mississipi, and their taking possession of part of the western frontiers of the southern States. They totally deny our right to navigate that River, or the right of Great Britain to grant it to us, as Spain was possessed of the Territory on each side of it, by Conquest, prior to the date of the treaty with G.B.—and that if we wish to avoid the confiscation of our Vessels, not to attempt it.

These Sir, are the Ideas of Spain on this head, and they differ so widely from ours, that one of the nations must recede from their opinions or a War will be the consequence. Congress are preparing instructions on this Subject, for a Minister who on this occation I imagine will be sent to Madrid.[2]

From the Conduct of Great Britain in not evacuating the Western posts which are within the limits of the U.S. before this advanced season of the year—we cannot but suspect, that she means something hostile, and should a rupture take place between Spain & the U.S. we can not doubt but she will be ready to the advantage of it. It is talked of among the Delegates as a necessary step, the sending an Ambassador to that Court, whether Congress will do it is a matter of uncertainty—it is a measure that would render us essential Service.

If your Excellency can give us any information respecting the encroachments of the Spaniards on our western frontiers, you will be so Obliging as to forward it by the first Opportunity.

Congress have been so taken up with other business since their meeting, that have done nothing respecting the No. Carolina cession. Should they take it up, and accept before we receive any fresh instructions, it will place the Delegates of the State in a very disagreeable Dilema, they knowing the divided Sentiments of the State on that Act.[3] I am in hopes it will be dormant untill we receive some intelligence respecting the transactions of our Assembly in their October Session. Should it be called up we must postpone doing any thing with it 'till we do hear from Carolina.

I have the honor to be, Your Excellency's Most Obedient and most humble Servt., Richd. D. Spaight.

RC (PHi: Gratz Collection).

[1] See Charles Thomson to the States, November 30, note.

[2] See Samuel Hardy to Patrick Henry, December 5, note 3.

[3] See Spaight to Martin, December 18, note 1.

Charles Thomson's Memorandum Book

[December 6–24, 1784]

1784 Trenton

Decem. 6. Sent Charles Hellstedt Consul for Sweden—an Act of recognition to the State of Pensylvania—with his Original Commission.[1]

8. Sent to the Secretary in the War Office resolution 7th Inst. directing him to stop the sale of Quarter Master & Military Stores until the further Order of Congress.[2]

ditto—That he order the Troops at Fort Stanwix to march immediately to Fort Ransalear.[3]

10. Furnish'd the Agents for the States of Massachusetts & New York each party with Copies of the Credentials of the other.[4]

Sent to His Excellency the President of Congress to be forwarded[5]

Letter from Congress to His Most Christian Majesty relative to the Marquis de la Fayette.

1 Copy do. for Doctor Franklin.

13th. Sent to the Secretary in the War Office

Resolution of 11th Inst. directing him to take order for supplying Troops under Major Doughty with Cloathing agreeably to his return to War Office[6]

Resolution That Mr Duer the present Contractor be requested to continue to supply the Troops under Major Doughty as also those at Fort Ransalear with provisions upon the Terms he hath hitherto done for the Months of January & February ensuing—[7]

Resolution That Major Doughty be allowed the pay & emoluments of Major of Artillery to commence with his command of the Garrison at Fort Pitt.

Deliver'd Major Doughty Copies of the above.

20. Sent to the several States from N. H. to G. inclusive[8]

Resolution of 16th Inst. covering Copy of a Note from the Chargé des Affaires of His Most Christian Majesty 1 Decr. 1784 respecting delays & difficulties complained of by French Agents in settling their Accounts in this Country—recommending to them to pass such remedial Laws on the subject as their respective Constitutions may permit.

Sent to the Secy. in the War Office to be forwarded to the Pay Master General—

Resolution of 16th Inst. covering Copy of a note from the Chargé des Affaires of his Most C. M. 7 December 1784 respecting the demands of the Heirs of three French Officers who died in the service—that the same be referred to Pay Master Genl. with orders to examine &c. & report thereon to Congress—as also Copy of a Letter from Col. Fleuri referred to him as above.[9]

Sent to Joseph Pennell Esq. Commissr. for settling Accots. in the Marine Department—

Resolution of 16th Inst. covering Copy of a note from the Chargé des Affaires of his Most C. M. respecting monies advanced for refitting the Frigate Confederacy—referred to him & that he be ordered to report thereon to Congress without delay.[10]

Sent Mr. De Marbois Chargé des Affaires &c. Copies of the resolutions.

December 2[4] th.[11] Sent to the President of Congress to be forwarded—13 Copies of an Ordinance.

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson. A continuation of Thomson's Memorandum Book, August 4–13, 1784.

[1] For Congress' "act of recognition" of Hellstedt as Sweden's consul at Philadelphia, see *JCC*, 27:659. For copies of his commission, which he submitted to Secretary Thomson in a letter of November 19, see PCC, item 78, 12:347–50, item 129, fols. 38–39, 52–53.

[2] See *JCC*, 27:664.
[3] Ibid.
[4] Ibid., pp. 666–72.
[5] See Richard Henry Lee to Bejamin Franklin, December 11, note.
[6] *JCC*, 27:681–82.
[7] See Richard Henry Lee to William Duer, December 14, note.
[8] No such letter from Thomson or Pres. Richard Henry Lee has been found, but for the December 16 congressional resolve enclosed, see *JCC*, 27:690–91.
[9] Ibid., pp. 691–92.
[10] Ibid.
[11] Missing numeral supplied—conjectured from the December 23 resolution "forwarded" and the date of the presidential letter at issue, for which see Richard Henry Lee to the States, December 24.

Samuel Holten to Mascoll Williams

Sir,[1] Trenton, New Jersey, 7th. Decr. 1784.

By a letter, I recd. from Mrs. Holten a few days since, I understand that postage was demanded & paid on a letter of mine, & my name and the word free, was bloted out on the out side of the letter, & the postage being required at your office, & some other circumstances leads me to think that my name was struck out at your office, however, I can't yet believe it was done by your order, but if I should not hear from you upon the subject I may alter my opinion, & if so, I must ask what authority you had for doing it, as I must suppose you knew the members of Congress had a right to frank their letters.[2]

I am, Sir, your most obedient,

FC (MHi: Holten Paper). In the hand of Samuel Holten. Addressed: "Mr. Mascol Williams, or the Post Master at Salem."

[1] Holten was apparently addressing Mascoll Williams, who died in Salem February 13, 1799, at the age of 81. *Vital Records of Salem, Massachusetts* (Salem: Essex Institute, 1925), 6:336.

[2] For the franking privilege enjoyed by delegates to Congress since 1775, see *JCC*, 3:342, 23:678.

Rufus King and Elbridge Gerry to Samuel Holten and George Partridge

Gentlemen, Tuesday Evg. [December 7, 1784][1]

We have the ideas of the Agents of NY. upon the proposed plan of agreeing on a federal Court. The Gentlemen desire our answer whether we agree to the mode, I propose to exchange Lists in the morning if we agree. We have sent for Messrs. Lowell & Sullivan, & if

you are unengaged ask the favor of your company to adjust this business. We shd. wait on you could we bring with us Messrs. L. & Sulln.[2]

R. King for self
& E Gerry.

RC (MHi: Colbourn Collection).

[1] For the context of this document, see New York Agents' Journal, December 4–9, 1784.

[2] That is, John Lowell and James Sullivan.

William Ellery to Benjamin Stelle

Sir, Trenton Decr. 8th 1784.

Immediately after Congress rose I went to the blazing star, and intended to have had the pleasure of a confabulation with you; but unhappily for me you had set out for Philadelphia.

I now inclose your letter with a number of a tickets which I had sent to you in Sept. 1783; and would be obliged to you if you would settle and make out certificates for the prize tickets, agreeable to the resolution of Decr. 1782 in the names of the persons whose names are endorsed on them, and deliver the certificates to my colleague Mr. Howell.

If you can't do it at Philadelphia, take the prize tickets with you to the place where you hold your office, and transmit the certificates to me by some safe hand, or to Mr. Marshall in Philadelphia. You will return the blank tickets by Mr. Howell.

I am your friend & hble servt. Wm Ellery[1]

RC (RPB: Ellery Papers). Addressed: "Benjamin Stelle Esqr, Philadelphia."

[1] Ellery also wrote a letter on December 10 to Chauncey Goodrich, a Hartford attorney, requesting him to institute suit against Gamaliel Clark of Connecticut who had defaulted on a note held by Ellery's late father-in-law, Nathaniel Carey. The county of Clark's residence was not known to Ellery, however, nor whether Goodrich practiced in that jurisdiction, and if not he hoped Goodrich would recommend an appropriate "practitioner." "Col. Cook [Joseph P. Cooke] one of your delegates," Ellery added in a postscript, "informs me that Col. [Jesse] Root lives in Hartford. If you should not and he should practice in the county where Gameliel Clark lives I would have you put the note in his hands." Miscellaneous Manuscripts, DLC.

James Duane's Notes

Trenton December [10–11] 1784
At a Conference at Mr Jays on Fryday
Evning the 10th Decr present all the
Agents from New York & Mr Wilson

The List proposed by Massachusetts was taken into Consideration.[1] They name Gentlemen from Virginia alone from from

It was observed that while we have given them scope in our List for a Choice from each of the States they have in theirs confind us to States only.

That Virginia by her Constitution founds her territorial rights on the ancient Charter to which comprehend a very great part of the Country of the Six Nations. That the Claim of New York Covers the Country of the 6 Nations and consequently a great part of the jurisdiction reserved by Virginia in her late Cession to the United States: and that it cannot be a pleasing Office to the Citizens of that State to pass a Judgement which might interfere with the Constitutional Claims of their Country.

That With respect to Connecticut there is such a similarity between her Claim against Pensylvania & the Massach. Claim against New York that her Citizens cannot be presumed to be free from some Degree of Prejudice.

That New Hampshire has an existing Controversy with New York which has been brought to a formal hearing before Congress:

That upon the whole only Mr Harrison[2] of all the Gent. proposed by Massach. Can be agreed to consistent with the Duty which we owe to our State.

It is therefore unanimously agreed that a new proposition be made to the Mass. Agents (to wit)

That the Agents on both sides respectively name two Gent. from every State excepting New York & the Massach. which will make the number 44 and the Agents alternately strike out one till the number shall be reduced to 22 And that from these an Attempt be made to constitute Judges by Consent.

And Mr Duane is appointed to communicate this proposition.

Mr Duane accordingly made The said proposition to the Gentlemen of the Massach.

Saturday the 11th A M

Mr. Duane reported the Answer of the Masss. Agents to the above proposition (to wit)

That they expected that the Agents from New York woud furnish them with a new List of 13 Gent. according to the first Agreemt.

That they woud take it into Consideration and if it produced no Effect they woud make us a Proposition.

We thereupon formed a new List of the following Gent and Mr Duane at the request of the Agents deliverd it to the Mass. Agents.[3]

Nathaniel Green	Rhode Island
John Cone & Judge Smith	New Jersey

George Reed	Delaware
Thomas Johnson Rob. H. Harison Charles Carrol Thomas Stone	Maryland
William Nelson	Virginia
William Hooper Abner Nash John Penn	North Carolina
Edward Rutledge	South Carolina

Saturday 11th. P M

Memor. I called on Mr Sullivan & Mr Lowell (Agents for Mass. who did not attend as Delegates in Congress) on a Visit: The Conversation turned on our Controversy. They expressed great Satisfaction at the polite manner in which the business had been conducted but said they were apprehensive that it must probably be submitted to Congress to name a List for Judges according to the federal Articles. I observed that on the part of New York we shoud be as conciliating as circumstances woud possibly admit—that we only wished for an impartial Tribunal to decide upon our Rights & lay a foundation for perpetual Amity between the two States. That we ought not to consent to throw the burthen of the determination on Gent. from Virginia and must put them in a disagreeable situation to pass a Judgement on our evidence which woud call in Question the Right of that State to a part of the Jurisdiction which they claimd by their very Constitution and had reserved by their Cession to the United States—And that yet the Mass. Agents had been pleasd to name no less than four Gent. from that State as Judges. Mr Lowel replied that Objections to States must prevent any amicable Appoint. of Judges which coud only take place from a Considn. of the Rectitude of Individuals: that All the small States were averse to the Claims of the large—that the legisl. of Maryland had openly protested against those Claims on the broad principle that all unappropriated Lands in every state belonged not to the respective States in which they were situated but to the united States. Here this subject dropped.

Mr Sullivan afterwards took Occasion to observe that some things had been published in the New York papers ⟨*which*⟩ were ⟨*thought*⟩ exceptionable ⟨*in the Massachusetts*⟩ & had at first occasiond a Resolution in himself & others to give them a Reply but on Reflection it was thought best to pass them over in Silence. I asked to know what he alluded to, and he mentiond the Speech of our Governour & the Answers of the Senate & Assembly with respect to their demand of a fœderal Court. I answerd that the Claim of Massac. coud not but excite an agitation in our Government. That it was of so undefined & extensive Nature as to include over Albany & Schenectede &c planted by the Dutch before the date of their Charter and that it struck at our

very existence as a State. He replied that it was not their Intention to claim Albany or any dutch settlement which had been made antecedent to their first Charter: and that they woud take an Opportunity to relinquish such districts at the Hearing but they conceivd all other Lands within the bounds of their ancient Charter to belong to them.

I told them that as a proof of Candor I woud in my turn mention a Circumstance or two which had excited dissatisfaction at the Conduct of their Government. That our State was among the first to make a common Cause with them in the Hour of their distress: that it seemed to be a singular Circumstance that after we had contributed every thing in our power to maintain a successful War, the old Charter of the Mass. shoud be now revived for our Destruction: that it coud not but remind us of the fable of hunting with the Lion.

I added as another Instance that we had submitted our Contest with our discontented Citizens on the Grants to the Arbit. of Mass. in common with the other States: that while the Cause remaind sub Judice her Legislature had thought fit to Offer a formal release of her Claims within that District in favor of Vermont if Congress woud agree to establish it as an independent State: that ⟨*such an*⟩ this ⟨*was*⟩ unreasonable interference discoverd such a Partiality in their Favour or either such an Enmity against us as coud not be accounted for: the more especially as our Zeal for the Common Cause had been as operative as the Treachery of Vermont & her Intreagues with the Enemy in Canada were notorious.

The Gent. both admitted that this Conduct coud not be Justified: and that it was a hasty Measure: that however some Allowances were to be made for it: That the Connection of that District with the Enemy was well known & its total Defection from our Cause apprehended: that at the same time the two Northern Counties of Massac. were discontented & opposed to Government & had gone so far as to prevent administration of Justice & even to break up the Courts by violence, at the same time that they were entreaguing with the Vermonteers: and under these Circumstances & in hopes the Independ. of Vermont woud be a means of attaching it's Inhabits. to the Union & reestablishing the Tranquillity of the before mention'd District, the Measure of which I complain'd had when [. . . .] An Obvious Remark occurred on this Explanation but considering that it coud be of no use I suppressed it.

One of the Gentlemen asked me what in my Opinion woud be done with Vermont? It was a Subject I wished to have discussd for a very particular Reason which I need not explain—I therefore answerd that it was a Case of great difficulty of which it was not easy to form an opinion. In hopes this might have brought on some farther Conversation I stopt here—but to my disappointment they did not pursue the subject.

They turnd the Conversation to our powers and enquired whether we had any Authority or whether the Legislature had it in Contemplation to accommodate the dispute between the two States? I told them that we had no power or Instruction but what were containd in our Initial Credentials—the Law which had been communicated to them.

They answerd that neither had they any power on that Subject—that as they nevertheless wished for a friendly Accommodation, they had it in Contemplation to make a proposition not doubting but if the Agents for both States approved & recommended it we might hope that it woud take place.

They then explaind the proposition viz. that the Content of both States shoud he estimated; and after assigning to each an Equal Extent of Territory the Surplus of the Lands in Controversy shoud be equally Divided! They expressed their wish for my candid opinion of Such an Accommodation.

I reminded them of the Nature of our powers which did not extend to any accommodation—But assured them that every proposition which they thought fit to make woud meet with the respectful Attention of the Agents for New York.[4]

MS (NHi: Duane Papers). In the hand of James Duane.

[1] For the context of these proceedings and the New York agents' receipt of "The list proposed by Massachusets." see New York Agents' Journal, December 4–9, especially notes 5 and 6. See also Massachusetts Agents' Proposal, December 23.

[2] That is, Robert Hanson Harrison, chief justice of Maryland.

[3] Cf. New York Agents' Journal, December 4–9, note 5, and Proposal, December 23.

[4] Following this paragraph, Duane wrote "Monday 13th" in the center of the page, obviously in expectation of continuing his narrative, but for whatever reason failed to do so.

Samuel Holten to Timothy Pickering

Dear Sir. Trenton 11th Decr., 1784.[1]

I have been favoured with your attention of the 7th by which I perceive you wish to see the plan for constituting the board of treasury;[2] I understand their powers, at this time, are the same as the late financier was vested with, which you may see in the printed journals of Congress, which I conclude you have but how long they will continue the same is uncertain, as a committee of Congress has lately been appointed to consider the same, & report such alterations as they think proper.

There is to be a secretary at war appointed, & some of your friends here wish you to be in this department, & some in the other. As to myself, I wish you to have that place, which is most agreeable to you, knowing that the place you accept will be well fill'd, however, I have nominated you to the board of Treasury,[3] as I think it is not likely the

two offices you mentioned will be joined, and I consider the board of treasury, as being likely to be most profitable.

I am, dear sir, your sincere friend & humble servant,

S. Holten[4]

RC (MHi: Pickering Papers).

[1] Holten at this time was also chairman of a committee to which had been referred a number of foreign dispatches on December 1 and December 8. PCC, item 186, fols. 167, 171. In connection with his work on this committee, which also consisted of Gunning Bedford, Samuel Hardy, William Churchill Houston, and Jacob Read, he wrote the following note to Bedford and to Hardy on the 10th. "Dr. Holten presents his compliments to the honorable Mr. Bedford [*and Mr. Hardy*], & requests his attendance on a committee this afternoon at 5 o'clock in the chamber where we usually meet." Holten Papers, DLC.

[2] Pickering's December 7 letter, written in response to Holten's to him of December 4, is in the Pickering Papers, 5:341, MHi.

[3] Pickering withdrew himself from consideration for appointment to the treasury board in a January 26 reply to Holten which is in ibid., 5:343; and *Danvers Historical Society Collections* 20 (1932): 48–49.

[4] Holten also wrote the following business letter to Robert Morris this day.

"I have a bill of exchange drawn by the honl. James Lovell esqr. upon you for 466⅔ dollars, & I wish to know whither it would be agreeable to honr. the same. The reason of my asking this question before I endorsed & sent it forward is because I consider Mr Lovell as having been acting in a public capacity in your department & tho' the bill is not drawn by him in his public character, nor upon you in yours, yet I had doubts whither it might not be considered by you in that light, & in the present state of things, not be honored immediately. I will only add that as I took sd bill in preference to specie, & for part of my expences while attending Congress, it will be a disappointment not to receive the money." Holten Papers, MHi.

Richard Henry Lee to Benjamin Franklin

Sir, Trenton December the 11th 1784

I have the honor to enclose to your Excellency a packet for his most Christian Majesty containing a letter from Congress to that Monarch recommending our able and active friend the Marquis la Fayette to his royal favor.

The Marquis's former and recent services to America deserve, and have secured to him, the warmest attachment of these United States.

I have the honor to be, with sentiments of the highest respect and esteem, Sir, your Excellencies most obedient humble Servant,

Richard Henry Lee. P.

P.S. The packet for his most Christian Majesty is left open to be sealed or otherwise as you shall deem most proper. R. H. Lee

RC (PPAmP: Bache Collection).

[1] See *JCC*, 27:673–74, 682–83; and the following entry.

Richard Henry Lee to the Marquis de Lafayette

My dear Sir, Trenton Decemr. 11th 1784

I have the honor to enclose you a letter for the Minister plenipotentiary of the United States, at the court of his most Christian Majesty, which covers a letter to our great and good Ally, a copy of which I have also the pleasure to enclose for your satisfaction.[1] I assure you my dear friend that I feel myself singularly happy in observing the unanimous disposition that prevails in Congress to promote your glory, for I do most sincerely wish you every felicity that this world can afford.[2]

I am, with unfeigned esteem and regard, My dear Sir, Your affectionate friend, Richard Henry Lee

LB (DNA: PCC, item 16).

[1] See the preceding entry.

[2] Lafayette had arrived in America in August 1784 to renew acquaintances and rekindle wartime memories, and after an ambitious tour that took him from New York to Philadelphia, Mount Vernon, Albany, Boston, Richmond, Annapolis, and Trenton, he had returned to New York to embark for France. When it had received an announcement of his pending return home, Congress had appointed a special committee of one member from each state to receive him, which reported on December 13 the results of their reception of the marquis this day. For Lafayette's trip to America, and his reception by Congress at this time, see Lafayette, *Papers* (Idzerda), 5:232–89; Washington, *Papers* (Abbot), Confederation Series, 2:28–29, 84–85, 103–4, 165, 175–76, 194, 226–28; and *JCC*, 27:673–74, 679–80, 682–85.

George Partridge to John Pierce

Sir: Trenton, Dec. 11, 1784.

I should be very much obliged to you to inform me, whether, by the orders of Congress, the widow or children of a Major-general who lost his life in the service is entitled to the half-pay of a Major-general for seven years, or to that of a Colonel only.

There is a dispute in the State of Massachusetts which is suspended on the decision of this question.

If you think the case clear, your opinion, with the grounds of it, will no doubt give satisfaction; but if you are in any doubt, I shall apply to Congress for an explanation of those acts.[1]

I am, with the highest esteem, your obedient servant,

George Partridge.

MS not found; reprinted from William T. R. Saffell, *Records of the Revolutionary War* (Philadelphia: G. G. Evans, 1860), p. 97. Addressed: "Col. John Pierce, P. M. Gen."

[1] Paymaster general Pierce's answer is not known, but Partridge later introduced a congressional motion on this subject that was referred to a committee consisting of himself, David Howell, and Hugh Williamson. The committee's recommendation, adopted by Congress on February 28, 1785, affirmed that the half pay due general offi-

cers (and their widows or children) "be in proportion to their pay," in keeping with an August 25, 1780, congressional resolution modifying its May 15, 1778, regulation which had provided "that no Genl Officer . . . be entitled to receive more, than one half part of the pay of a Colo." See *JCC*, 11:502, 17:777–78, 28:93, 106–7.

John Vining to Nicholas Van Dyke

Sir Trenton 11th Decer. 1784

I have the honor to inform your Excellency that since the late meeting of Congress, nothing more than General Federal Questions have been agitated. The Treaties with the Indians as far as they have gone are favourable, and except in a few deviations from the late Provisional and definitive Treaties of Peace, We stand in all Considerations in a most respectable point of View. The Quotas for the present year are not yet fixed, as soon as they are, your Excellency shall be informed of it. This will suggest to your Excellency the necessity or rather the Expediency of at least one of our representation, continuing with Congress;[1] the Committee's of Finance and almost every other Committee of Importance are composed of a Member from each of the states. This is a Circumstance of so much consequence that I trust the General Assembly, from the recommendations of your Excellency will be induced to reconsider the last resolve relative to the appointments of Members to Congress (and their Pay as well as the Mode in which it is to be made) and give it those Alterations which both delicacy and Justice require. Our Expences here from the Necessity of Eating at Taverns, and sleeping where we can, are at least as great as they would be in any capital City whatsoever. The Assembly and your Excellency will I make no doubt feel in a proper point of view those Circumstances upon which delicacy forbids me to say more—for all other particulars I refer you to my honorable Friend and Colleague Mr. Bedford, who will be so happy as to deliver this to your Excellency. And believe me sir, with most respectful Compt. to Mrs. Vandyke and Family your Excellency's most obet. Humle Servant,

John Vining

RC (DeHi: George Read Papers).

[1] Following Gunning Bedford's departure this day and Vining's return home the 14th, Delaware remained unrepresented in Congress until March 21, 1785. See *JCC*, 27:681, 683, 685–86, 28:172, 182.

Hugh Williamson to Thomas Jefferson

Dear Sir Trenton 11th Decr. 1784.

Very little Progress has been made since your departure in the Plans

for improving the great Dismal. People near Edenton are afraid that a Canal from Pasquetank to Elizabeth River, through Drummonds Lake would deprive that Town of its small remains of Trade and the People on Pasquetank River who would be profited by the Canal have not Enterprize enough to go on with the Work. They want a Conductor, an able and persevering Director on the Virginia side would answer the Purpose. Our Company has from 30 to 40 Thousand A[cre]s. We have a Party of Men working in the Swamp. The mannager has lately been through it. No Part of the Lake is within our Tract, for it is ¾ of a mile North of the Line. There is a Mill on a head Branch of Elizabeth River to which the Tide flows & it is said that the stagnant Waters of the Dam of that Mill extend to within half a Mile of Drummonds Pond. If so, a single Lock at the Mill and a very short Canal opens the Carriage from Norfolk into the Lake and a Mile further brings it among the weighty Junipers in our Swamp. I have directed our Agent to try to buy two or three shares more for me but don't know what success he may have.

A valuable Improvement is said to have been made in Mecanicks by a Citizen of Virga on Potowmack. He says that he has found a method of working a Boat carrying from 5 to 10 Tons 70 or 80 miles a day by three men up such a River as the Ohio. He says she will go @ 3 miles the Hour up a River where the Stream runs @ 6 miles. Do you believe this? Genl. Washington has seen the Boat in miniature and certifies that it has exceeded his belief & he thinks it a useful discovery. The Projector is getting Laws in the different States to operate as a Patent for his Discovery for 10 Years.[1]

You will soon hear many Complaints concerning our Western Country. The Spaniards have not only interdicted the Navigation of the Messissipi but they seem to be making Incroachments and are doubtless taking Pains to exasperate the Indians, to the great Terror of our frontier Inhabitants & to the loss of some Lives. It is true that the Spaniards had subdued two or three British Garisons in West Florida & possess'd the lower Part of that Province previous to the Peace. Does such a Tenure give a good Title to a Country. Such Positions are dangerous; they have been objected to by Spain herself.

There is a diversity of Sentiments respecting the probable Effects of those strange proceedings of the Court of Spain. Doubtless they are pointed with an evil Eye against the Prosperity of the US, but I think they will be favourable in their operations. Should the Navigation of the Messissipi continue open vast Bodies of People would migrate thither whose mercantile Connections could be of no Use to the old States. In Taxation their assistance would be very inefficient. On the contrary let the Navigation of the Messissipi be shut up and the Country joining our present settlements will be first improved and a durable commercial & civil intercourse established.

The Business I suppose will cause us to send a Minister to the Court of Spain. From the strong representations that have lately been made by Mr. Lawrence who says he is requested {by Doctor Franklin so to do, I suppose the doctor will be}[2] permitted {to return}. Should that be the Case I hope {you will be his successor at Versailles}. In that Case too we shall have much {difficulty in determining who is to go to London}. Perhaps {Livingston, Jay, or Adams. I think the last} has Prejudices too strong.

We have lately heard strange stories concerning a certain Doctor in Paris who performed some thing in the Cure of Diseases like inchantment. Is there any useful discovery made?

I have the Honor to be with the utmost Regard, Dr. Sr, Your obedt Servt, Hu Williamson

RC (CSmH: HM 5943).

[1] Through the offices of James McMechen, James Rumsey (1743–1792), a Virginia merchant-inventor, submitted to Congress on December 8 a proposal for constructing a boat of 10 ton burden capable of being propelled by mechanical power (a steam-powered pump venting jets of water through the stern) upstream on the Mississippi and Ohio rivers at the rate of 10 miles per hour covering a distance of 50 to 80 miles a day. If successful, Rumsey requested that he be granted 30,000 acres of land northwest of the Ohio River. Rumsey had already demonstrated a model of his invention for George Washington and obtained a September 7 testimonial from the general concerning the "vast importance" of such an accomplishment "in our inland navigation." Moreover, both Maryland and Virginia were on the verge of granting Rumsey exclusive rights for 10 years to navigate his boats on their waters. Rumsey's memorial was read in Congress December 8 and referred to a committee consisting of Williamson, Egbert Benson, and William Churchill Houston. The committee was renewed on January 17, with Pierse Long replacing Benson and William Samuel Johnson replacing Houston, but did not report until May 11 when it recommended that Rumsey receive the proposed land grant provided that he demonstrate before May 1, 1786, that his craft, carrying 10 tons and aided by only three men, could move up the Ohio River averaging 50 miles a day six successive days. See 27:672n, 28:6n, 349–50; PCC, item 42, 3:135, 6:498–501, item 186, fol. 171; Jefferson, *Papers* (Boyd), 7:520, 592–93, 15:80–82n; Washington, *Papers* (Abbot), Confederation Series, 2:69; and *DAB*. See also Williamson to Washington, February 19, 1785.

[2] Words printed in braces in this text were written by Williamson in cipher.

Rufus King to Daniel Kilham

Dear Sir[1] Trenton 12th Decr. 1784.

I have been here so short a Time, that I can say very little to you upon the Subject of our general Affairs, wait a little Time & I will give you a general State of them. This place for the residence of Congress has many inconviniencies, and a motion was a few days since made to adjourn to Philadelphia, but passed in the negative.[2] We shall however adjourn I think from this place, either to the city of New York or to Philadelphia.

We have before us a serious remonstrance from the Spanish Agent against our navigating the River Missisippi, they deny the right under our Treaty with the Court of London, and say that any american vessel which may come into that River will be confiscated.[3]

This is a subject that alarms the Southern States, and will require a considerable degree of delicacy and firmness to be conducted with safety.

No account from the British Court favors the idea of a cordial amity towards the united States, and the detention of the Posts on the western frontier is probably under positive instruction.

I wish very often to be with you; I leave in your Town connections very dear and valuable to me; pray write me every thing respecting your self and other friends, which you think I may desire to be informed of. I inclose you a Philadelphia Gazette, pray direct Mycall to send me weekly by post his paper.[4]

With esteem & friendship, Your R King

RC (NNC: King Collection). Addressed: "Daniel Kilham Esqr., Newbury-port, Massachusetts."

[1] Dr. Daniel Kilham (1753–1841), an apothecary and selectman of Newburyport, Mass., had graduated from Harvard College with King in 1777. Austin D. Kilham, comp., *Notes on the Descendants of Austin and Alice Kilham and Related Families* (Charlottesville, Va.: Bailey Printing, 1970), p. K 7.

[2] This December 10 motion, "by the State of South Carolina, seconded by the State of Pensylvania," was merely for Congress "to adjourn from their present residence," although had it passed it doubtless would have been followed by one for reconvening in Philadelphia. See *JCC*, 27:678, 680-81.

[3] See Samuel Hardy to Patrick Henry, December 5, note 3.

[4] That is, the *Essex Journal and the Massachusetts and New-Hampshire General Advertiser* published by John Mycall at Newburyport.

Robert R. Livingston to the Chevalier de La Luzerne

Dear Sir, Trentown 12th Decr 1784

The unaccountable negligence of a Gent to whom I intrusted a Letter long since written in answer to your favor at parting has prevented your receiving my acknowledgments & my regrets on a subject on which it would be too painfull for me to toutch did I not know that your departure from us restored you to friends & connections that have nearer & dearer claims upon you. Permit me to offer you my congratulations upon your safe & happy arrival among them without attempting to lessen the pleasure it affords you by reminding you of the sorrows of those you have left behind.

We are now at Trentown suffering under all the inconveniences of cold rooms, hard beds, worse fare & want of society without the consolation of knowing when these evils are to end as we can not agree on

the place to which our next flight is to be. My philosophy will however bear me out & I am daily preaching to our luxurious neighbour that his prusian majesty is not less a king for reposing on a buckle bed than he would be were he to displace his boots & lie on down.

Our friend Jay will to my very great satisfaction accept the place I have quited[1] so that order & system will I hope be again restored to our foreign department. But as in the affairs of this world evil treads close upon the heels of good. Our finances are to pass from bad to worse & Mr. Morris having finally resigned they are consigned over to confusion in the shape of a Treasury *board*—if however (which I much hope) they persue his arrangments as our expenditures are very spare they may be placed on a desirable footing. Knox will I believe be Secretary at War and many great arrangements will probably take place in our diplomatic department.

This is a summary of our general politics. In giving it you I rather consider my own satisfaction than yours & while I wrote to you of American affairs sooth my imagination with the Idea of your still taking an interest in them. This indeed is a return you owe us for in every situation we shall take an interest in you—having said this as a member of the community permit one that is bound to you by tenderer ties to assure you of the sincere & affectionate attachment with which I have the honor to be Dr Sir yrs &c

FC (NHi: Livingston Papers). In the hand of Robert R. Livingston.

[1] That is, as secretary for foreign affairs.

John Francis Mercer to John Fitzgerald

Dear Sir Trenton Decr. 12. [17]84.

On my arrival here I found your favor enclosing Mr. Grahams order. There is a considerable difference in the ballance between the Statement I shoud make & his—but must take his untill I see him. I shoud request to postpone the payment untill that period not only for the above reason—but I expect on a particular occasion to have a pressing call for what money I coud conveniently raise. I shoud therefore hope that My friend Mr. Graham woud not insist upon the immediate discharge of the ballance he states especially as he charges interest on it—& consists in 6/.£ worth of Goods which might be bought now for 10£ & he has recd. Rye at 2/ which he parts with at 6/. I am forced to try to sell a bill on you to raise some Money, what we all stand exceedingly in need of here. If you have not as much of mine in your hands, I expect there is Tobacco in Alexandria which I beg you'd sell for this purpose. I am inform'd that Cane sells very high in Alexandria. I expect I have near 400 Barrells for sale. I have enclos'd a

Note to Stewart that if the fact corresponds with my account—he may send it to you.

I am Dr Sir with real esteem, Yr. very hbl serv.

John F Mercer

RC (DLC: Fitzgerald Papers).

John Jay to John Adams

Dear Sir Trenton 13 Decr. 1784

One of these Days I shall devote a Leisure Hour to forming a Cypher, and will send it to You by the first good Conveyance that may afterwards offer. At present I am engaged on many Committees, so that my Attendance on them and on Congress keeps me fully employed. I observe with Pleasure that in this Congress there appears to be good Talents & good Dispositions. None of their more important Measures are as yet matured, but I flatter myself they will act wisely.

The Marqs. returns well satisfied[1]—he has recd. many Marks of Respect, and I believe very sincere ones. I think his Representations will be fair and honest; and I wish his Court may never recieve any advices respecting us but of that Description. I find that the Chevr. de la Luzern stands well here, and is esteemed—it is to be hoped that his Successor may be a man who will think it his Interest as well as his Duty to deserve well of both Countries.

I am happy that the interfering Claims of Massachusets and N York are in a Way to be settled—We shall then coalesce, and be more and more assimilated. Your Delegation is a good one.

My Compts. to your Lady & Family. Mr. Laurens is gone to Carolina. Present my Respects to Mr. Jefferson.

I am Dear Sir, Your afft. & obt. Servt, John Jay.

RC (MHi: Adams Papers).

[1] That is, the marquis de Lafayette, for whom see Richard Henry Lee to Benjamin Franklin, December 11, 1784.

John Jay to Benjamin Franklin

Dear Sir: Trenton, 13th December, 1784.

The Marquis de Lafayette is so obliging as to take charge of this letter. He has seen much of our country since his arrival, and having had many opportunities of knowing our true situation, will be able to give

you full information on the subject. I think he is (and has reason to be) convinced that the attachment of America to him has not been abated by the peace, and that we are now as little disposed to break friendship with France as we were during the war. This is a most favourable season for her to relax the severe commercial restrictions which oppose our trade to her islands. Her liberality would be contrasted to British ill-humour, and unavoidably produce correspondent impressions.

The present Congress promises well. There are many respectable members here. Federal ideas seem to prevail greatly among them, and, I may add, a strong disposition to conciliation and unanimity. Your letter on the subject of leave to return is, with a variety of foreign papers, referred to a committee. They have as yet made no report, and, therefore, I can give you no satisfactory intelligence on that head.[1] I lately saw Mrs. Bache in good health and spirits at Philadelphia, and I am persuaded no less anxious for your return than you can be. Mrs. Jay and our little family are at Elizabethtown, and her last letters inform me they were all well. Be pleased to make my compliments to your grandsons.

I am, dear sir, Your obliged and obedient servant,

John Jay.

MS not found; reprinted from Jay, *Correspondence* (Johnston), 3:136.

[1] Franklin's request to return to America, which had been conveyed to Congress by Henry Laurens, had been referred to a committee on December 1, which reported on December 23, but its recommendation to accept Franklin's resignation was not brought up for debate until January 21. As Congress was torn over making a decision on the shape of the postwar diplomatic establishment abroad, acceptance of Franklin's resignation was held hostage to agreement on how to fill diplomatic posts at London, the Hague, and Madrid, as well as at Paris, and not until March 7 was a resolution adopted permitting his "return to America as soon as convenient." See *JCC*, 28:13–14, 122; and PCC, item 186, fol. 167.

Richard Henry Lee to William Duer

Sir, Trenton Decemr. 14th, 1784

Your letter of the 10th Inst. was this day received and laid before Congress—no immediate Order was taken upon it. If I may be permitted a conjecture, I would suppose that the enclosed resolve upon the subject of your letter was considered as the sense of Congress on that point[1]—should this not correspond with your idea, you will please to signify your opinion upon that point in a subsequent letter.

I have the honor to be, Sir, Your most obedient and very humble servant, Richard Henry Lee

LB (DNA: PCC, item 16).

[1] In his December 10 letter to Congress, Duer had explained that his contract for provisioning the troops at West Point would expire at the end of December, and "As it is probable (from the present State of the Finance Department) that congress may not be able to take timely Measures for Continuing the Supply," he was prepared to continue under the contract through January. However, because the commander at West Point, Maj. John Doughty, had already written about his plight—explaining that there were no treasury commissioners or war office officials available to address the needs of the troops at West Point—Congress had already authorized the extension of Duer's contract through February, by terms of the December 11 resolves Lee enclosed with this letter. See PCC, item 78, 8:81–87, 97–100; and *JCC*, 27:681–82. For Duer's continuing efforts to obtain payment for rations supplied Continental troops, see also *JCC*, 28:79–81; and PCC, item 78, 8:101–4.

Richard Henry Lee to Benjamin Franklin

Sir, Trenton Decemr. 14th 1784

I have the honor to enclose to your Excellency a resolve of Congress passed this Day, the arrival of which in due season to prevent the signing of the convention alluded to, until an Opportunity of reconsidering it in full Congress may be had, will be very agreeable to that Body.[1]

I have the honor to be with the highest esteem and regard, Sir, Your Excellency's Most Obedient Servant, Richard Henry Lee[2]

LB (DNA: PCC, item 16).

[1] Congress had resolved that "in case the convention proposed for regulating and ascertaining the powers and privileges of consuls should not be already signed," Franklin should delay the signing until he received "further instructions."

In his February 8, 1785, response to this letter Franklin explained that this resolve "came too late to suspend signing the convention, it having been done July last, and a copy sent so long since that we now expected the ratification." *Diplomatic Correspondence, 1783–89*, 1:393. For the instructions Congress had adopted for the negotiation of a consular convention January 25, 1782, and the convention Franklin and Vergennes had signed July 29, 1784, see these *Letters*, 18:303–4; and *JCC*, 22:46–54, 31:725–35. See also James Monroe to Thomas Jefferson, August 15, 1785, note 4. At issue was the suspicion that the convention Franklin had negotiated granted excessive privileges and immunities to French consuls, "incompatible with American sovereignty," a view held especially by John Jay who was about to assume the office of secretary for foreign affairs, which he subsequently used to prevent its ratification and to force the negotiation of a new convention which was not ultimately ratified until 1788.

[2] Lee sent this letter to Franklin under cover of the following brief letter of this date to the marquis de Lafayette. "In the name of Congress I am to request that you will be so kind as to deliver the enclosed letter to the Minister plenipotentiary of the United States at your Court, as soon after your arrival as may be convenient." PCC, item 16, fols. 316–17.

And the letter to Lafayette was sent under cover of the following note to "The Post Master at New York." "I am directed by Congress to desire that you will immediately on the receipt of this, yourself deliver the enclosed packet to the Marquis de La Fayette who is now in New York with design to sail to-morrow. The business requires punctuality and dispatch, therefore you will please loose no time in delivering the packet." Ibid., fol. 317.

James Monroe to Thomas Jefferson

Dear Sir Trenton Decr. 14th. 1784.

Upon my arrival here I wrote you & committed my letter to the care of the secretary of Congress who said he wod. transmit it thro Mr. Morris.[1] I hope you have recd. it. It gives you a concise acct. of my late rout to the lakes &ca, as well as some observations wh. I thought worthy your attention in the formation of a commercl. treaty with {Great Britain}[2] respecting {Canada}. It was late in Novr. before we form'd a Congress but at present we have 9 States on the floor with a member from all the States except Maryld. & in a few days we expect her Delegation on. From N.H. we have Mr. Foster agn, B.[3] hath given place to some other gent. whose name I do not recollect. From Massachtts. we have Mr Gerry, Holton, Patridge, King, & Goram is appointed but hath not taken his seat. Chancelor Livingston, Jay, Benson their attorney genl. & a Mr. Lansing from N. York; from R.I. H. and E. agn.[4] A Mr. Johnson hath taken the place of Sherman & Colo. Cook of Wadsworth in Connecticut. Jersey hath the same members with Mr Houston formerly in Congress. Pensa. hath chang'd her members & with others appointed Mr. Reid, the late President. S. Chase, Smallwood, Stone & McHenry are I hear from Maryld.[5] This is a respectable Congress & I am happy to inform you they have hitherto acted with perfect good temper & propriety not only in the manner of conducting the business but of a mind comprehensive of the interests of the union as well as an inclination upon the most genl. and liberal principles to promote it. I really promise great good to the Union from this Congress. Our affrs. with {Spain} and {Britain} are before us. They are referr'd to Committees & I flatter myself that, the necessary measures will be effected respecting those {two courts}.[6] I mean here: with those to whom they are committed in the manag'mt. with each will the subseq[uen]t success depend. You know how difficult it is to ascertain this latter point. It seems to be an opinion generally given into that a minister shall be appointed to the {Court of Britain}; that one shall also be appointed to take the place of {Franklin}. Whom the former will be is altogether incertain but I think it beyond a doubt {you} will be the latter. It is also probable that {you} may be appointed to negotiate that particular business with {Spain} but this is only probable. If {Franklin} hath left {France} it may be proper {you} should not leave the {court} in case of that appointment. The {French} gentn. here are very desirous of it. Monsr. La Fayette hath been recd. with very high marks of attention by Congress; they appointed a grand Committee to receive him & give him the thanks of Congress. Congress have also wrote a letter to the king in his favor.[7] Propositions for the arrangment of Commerce, to be handed to the states requiring that they invest Congress with the power of levying the duties upon

imports & exports are before them. I think recommendations to that effect will pass. A distinction will be made between the revenue & the regulation; the former unless ceded by the State to go to the State. As yet we have heard nothing from you except in a letter from on b[oar]d ship to Mr Hardy on the Committee of the States. It will give us pleasure to hear from you as well for the information you will give us of our affrs. abroad and what we shod. do here, as to be assurd of your health & welfare. The Marquis of Fayette will know every thing which I have not mention'd of the affrs. of the Union in every part wh. will supersede the necessity of my detaining you longer for the present. Short hath I hope join'd you. I very sincerely hope you are all well & am with my affectionate wishes that you may remain so yr. friend & servant, Jas. Monroe

RC (DLC: Jefferson Papers).

[1] See Monroe to Jefferson, November 1, 1784.

[2] Words printed in braces in this text were written by Monroe in cipher.

[3] That is, Jonathan Blanchard who was succeeded by Pierse Long.

[4] David Howell and William Ellery.

[5] See Jacob Read to Benjamin Guerard, November 20, note 2.

[6] For Monroe's December 1 appointment as chairman of a committee to consider the Spanish court's refusal to recognize the right of the United States to navigate the Mississippi River, see Samuel Hardy to Patrick Henry, December 5, note 3. The following day Monroe made a motion in Congress concerning the failure of Great Britain to honor article 7 of the peace treaty respecting the northwest posts which was immediately assigned to a five member committee chaired by Monroe. The committee proposed December 3 that a representation be made to the British court requiring that all British troops "be withdrawn from every post and place within the territory of the U.S.," but left a blank in their report for the future assignment of a person to make that representation. On December 9 another committee recommended "that a Minister be appointed . . . to reside constantly at the Court of London"—a proposal that Congress adopted on January 31, electing John Adams to that post on February 24. In the meantime, John Jay, as secretary for foreign affairs, reported on February 7 instructions for the minister to be sent to London that pertained to possession of the Northwest posts, recovery of Negroes transported abroad, British restrictions on American trade, and repayment of debts to British merchants, which were adopted on March 7. See *JCC*, 27:657–58, 660–61, 675, 28:25, 45–46, 98, 123; and PCC, item 186, fol. 169.

[7] See Richard Henry Lee to Benjamin Franklin, December 11.

James Monroe to James Madison

Dear Sir Trenton Decr. 14. 1784.

I have recd. yr. favor of the 27 of Novr.[1] in answer to mine of the 15th. My last gave you the state of the representations here. The business of importance is still before committees or if reported not yet acted on. It seems to be the Genl. sense of Congress to appoint a minister to the Ct. of London & to give him instructions upon many sub-

jects & particularly those wh. arise in the conduct of both parties under the treaty, but whom they may appoint is incertain, indeed I fear that the difficulty of obtaining a vote for any person will obstruct this measure for a length of time. Franklin hath thro' Mr. Laurens & the Marquis of Fayatte solicited permission to return home;[2] this will no doubt be assented to as soon as taken up. An appointment must therefore be made in his place to that ct.; I think there will be little difficulty in obtaining it for Mr Jefferson, for the opinion of all the members seems to concur in the propriety of it. The first question will be whether we shall or not add other ministers to those in office & annex them to the cts. of London & Madrid, or depend on those for the manag'ment of all our business in Europe.[3]

Connecticut hath I hear authoriz'd Congress to carry into effect the impost with the assent of 12 States only. She hath also laid a duty of 5 pr. centm. upon all goods imported from a niegh'boring State. This affects R. Island very sensibly. The question must soon be decided whether this State will accede to this measure, or the other States recede from it for it is sd. N. York & Georgia will join in it. Have you been able to carry the point in fav[or] of the delivery of such citizens as may be guilty of the offences you describe, to the power, in whose territory & agnst, whose subjects they are committed.[4] This is certainly in strict conformity to the laws of nations but I believe not the common practice, except between those with whom particular treaties stipulate it. With us it will be beneficial as it must serve not only political but in the instance of the Indians (if the latter are comprehended in it) very humane purposes. I wish the same regulation cod. take place throughout the union but especially on the frontier next the Brit[is]h. But how are you to ascertain the fact or what evidence wod. you require of it? Or do you mean it shall operate without the concurrence of the other States? I expect Mr Jones hath left Richmond before this but if he hath not be so kind as make my best respects to him as also to Mr Stewart & believe me with great respect & esteem, yr. friend & servant, Jas. Monroe

RC (DLC: Madison Papers).

[1] See Madison, *Papers* (Hutchinson), 8:156–58.

[2] See John Jay to Benjamin Franklin, December 13, note.

[3] For the resolution of this question, see Samuel Hardy to Patrick Henry, December 5, note 3; and the preceding entry, note 6.

[4] Madison had expressed great interest in a bill before the Virginia assembly for extraditing western settlers who committed crimes within Spanish territory. "It has been proposed to authorize Congs. whenever a satisfactory proof shall be given to them by a foreign power of such a crime being committed by our Citizens within its jurisdiction as by the law of Nations call for Surrender of the Offender, & the for[e]ign power shall actually make the demand, that the Executive may at the instance of Congs. apprehend & deliver up the offender." For the extradition law actually passed by the assembly, see Hening, *Statutes*, 11:471–73.

Charles Pinckney to Benjamin Guerard

Sir Trenton December 14th. 1784

I wrote your Excellency on the 22d Ulto. by Captn. Allibone who sailed about the beginning of this Month for Charleston—in this I informed you we had made a house & elected a President. Since this the delegates from the different states have been constantly coming in, so that we now have Ten states upon the floor, & a Gentleman from each of the states of Connecticut & New Hampshire—the Maryland delegates are expected every day, so that I think we shall very soon have a compleat representation of the Union. There perhaps never was a Period at which such a representation was more necessary, or a session in which more essential & important Questions will be agitated. Our commercial arrangements with the Court of London, the dispute respecting our right to the Navigation of the river Mississippi which the Spaniards are determined to contend, and the very important business of the Indian Treaties to the southward, and the western Territory are all committed, and I hope we shall enter upon them with Unanimity & decision. If the Spaniards should not attend to the remonstrance we shall make them upon the subject of the Mississippi Navigation, it is not improbable the inhabitants bordering on that river may proceed to hostilities with each other, & that it may not be in our power to restrain them. This added to the reports prevailing of the unfriendly disposition of the southern Indians will dictate to the states of South Carolina & Georgia the necessity of organizing their Militia—the one to keep the Indians in peace until we shall be able to form Treaties with them & establish a permanent confidence between them & our inhabitants, and the other to prevent the excursions of the refugees & other banditti from Florida.

Colo. Laurens having returned to Charleston & Commodore Gillon not coming on, I suppose the appointment of delegates will be one of the first Acts of our new Legislature. If they should think proper to honour me with a re-election, I shall have no objection to remain another Year, or as long as they please.

I should suppose it will be necessary our Legislature should adopt the recommendation of Congress so as that their next delegates should be only elected to sit till November—then the delegates again elected will be able to take their seats from the first Monday in November agreeable to the Confederation.[1] I would also mention to your Excellency that all the delegates from the other states take their seats under a Commission from the Governor, with the great seal affixed, certifying the election of the Legislature & the Times for which they are to remain.

A Motion was made on Thursday to adjourn from our present residence. The debate lasted three days, & was lost—so that we shall re-

main in Trenton until this question is again agitated which may not be for some time.

I must request You to present my best respects to the Gentlemen of the Council & remain, with great respect & esteem, Your Excellency's Most obedient & very humble servt.

(signed) Charles Pinckney

Tr (ScCoAH: Governor's Messages).

[1] In February 1785 the South Carolina assembly extended to November of that year the terms of the delegates elected in February and March of 1784—Pinckney, John Bull, and Jacob Read—and added John Kean and David Ramsay to the delegation. See *JCC*, 27:646–47, 28:87, 90, 183, 351–52, 392.

Richard Henry Lee to Patrick Henry

Dear Sir: Trenton Dec. 18, 1784.

We are placed now, I think, pretty nearly in the same political relation under which our former correspondence was conducted; if it shall prove as agreeable to you to revive it, as you were then pleased to say it was to continue it, I shall be happy in contributing my part. The intelligence from hence cannot now be so interesting as formerly, because important events can be expected to occur but seldom in these times. It is, however, not unpleasant to know how things are going, and likely to go, in the world; that part of it at least in which we are in any manner interested. The courts of Spain and London do not seem to be upon such cordial principles with the United States as we might wish, the former seeming to be intent upon possessing, with a strong hand, the exclusive navigation of the Mississippi, and the latter has actually encroached already upon our peace boundary on the river St. Croix, and they detain the western posts; assigning, for reason, that we have violated the peace by not repealing the laws that impede the recovery of British debts; the court of London seems also willing to injure its own possessions in the West Indies, rather than not wound our commerce with British Isles. Much of this mischief arises from the want of a proper understanding of each other, and from the active industry and acrimonious misinformation that the exiled tories and refugees are constantly inculcating and asserting, without much danger of contradiction in having the truth fairly displayed. A well informed gentleman, in our ministry abroad, therefore, lately wrote us, that we could much better have dealt with these people among ourselves, than we can counteract the evils now resulting from their conduct abroad.[1] This temper of the two courts will, however, produce the necessity of sending to each a well informed minister to negotiate commencing difficulties, and thereby prevent the evils of renewed

war. It seems yet to be a matter of much doubt, whether the imperial determination to open the long closed navigation of the Scheldt, and restoring Antwerp to its former splendour as a commercial city, will not light up a general war upon the continent of Europe. I hope that our dispute with Great Britain may be previously settled. Our commissioners have concluded a peace with the six nations, and are now on their way to Cayahoga, on Lake Erie, to meet the western nations and to make a treaty with them also. I present you the compliments of the approaching season and assure you that, I am with great regard and esteem, Dear Sir, Your Most obedient and very humble Servant,

Richard Henry Lee.

MS not found; reprinted from Henry, *Patrick Henry*, 3:247–48.

[1] In a letter to Congress of April 24 Henry Laurens had observed that "If all the people called Loyalists were scattered in America they would not do so much mischief as they do here. We could manage them best at home." See PCC, item 89, fol. 352; and Wharton, *Diplomatic Correspondence*, 6:797.

James Monroe to James Madison

Dear Sir Trenton Decr. 18th. 1784.

Yours of the 4th inst. I have recd.[1] Congress are now closely engag'd in very important business. Reports upon our affairs with {Great Britain, Spain}[2] & our foreign affrs. in general have been presented & alternately acted on. To adjust the points of {variance} between us & the former {Court} it seems to be the general opinion that a {minister} shod. be sent there, that it would tend to conciliate the disposition of either to the other, effect the settlement of those points & avert the evils wh., if things remain long in their present state, threaten both parties, that it is more honorable to both that they shod. be adjusted in one of our capitals & that we owe that respect to the elder party. We have had no official communications but those with wh. you are already possess'd on the subject. {Dr. Franklin} hath thro' {Mr. Laurens} & {La Fayette} desir'd permission to return home which will of course be granted.[3] The claim of {Spain} to the exclusive navigation of the Missisippi &ca had been presented to our view before the instructions from {Virginia} arriv'd, in a note from {Mr. Marbois} covering a letter from Rondon with the extract of a letter from Don Galvez.[4] {Mr. Marbois} assures us of the pleasure with wh. {the King of France} will see measures taken to co[n]solidate & maintain a good understanding between {U. States} & {Spain} altho' the letter & the extract were from people unknown to us still the manner in wh. they came entitled them to our attention. I mean the contents. At the same time therefore that it was thot. necessary to make a polite return to the note it seem'd to

be generally agreed that measures shod. be taken with the {Court of Spain} for the amicable settlement of those points; and that a {minister} shod. also be sent there. The question then arose how shall these several negotiations be carried on & by whom, the gentn. now in office or shall others be appointed. {Laurens}, R. R. Livingston & all those who were averse to new appointments (the affrs. with {Spain} being first before us) were for evading the question whether new appointments shod. or not take place, & appointing {Mr. Jefferson} immediately to the {Court of Spain} in support of wh. they urg'd the particular qualifications of {Mr. Jefferson} for that business. The object of the two former was readily perceiv'd. The two {Courts} of {Great Britain} & {France} wod. then be open. The first is I believe contented with his present station, the salary of wh. will I think be rais'd & some other matters so settled as to accommodate him, but the latter wod. willingly serve the {U. States}, at either {of} those {Courts}. It was therefore in opposition to this urg'd that for the more permanent interests of the {U. States}, if we were to be represented only at two {Courts} it had better be at those of {France} & {Great Britain} than any others; that the {minister} station'd at each might make occasional trips elsewhere & return, that in the magnitude of the question & the urgency of it that of {Great Britain} was the first object before us, that the regular way was to take up the whole together; first give {Dr. Franklin} permission to return & in respect to that {Court} supply his place, that then the question wod. come regularly before us, shall {Mr. Jefferson} & {Mr. Adams} transact our other business with the other {Courts} or shall we appoint others, that those who were averse to other appointments wod. derive advantage from bringing it on in this manner, for then each point wod. stand fairly on its own ground & be determin'd by its ixpedience. After very long debate it was carried that a minister shall be appointed & sent to the {Court} of {Spain} instructed &ca. The decision of the house, in the point upon wh. it turn'd was, that he shod. be appointed from the Continent, but those in office are not precluded from the vote. They are however not in nomination. R. R. Livingston, Govr. Johnson of Maryd., {R. H. Lee} & some others are. {R. H. Lee} earnestly advocated the appointment of {Mr. Jefferson} to the {Court} of {Spain} only in my opinion to open those of {Great Britain} & {France} to himself & friends among whom are R. R. Livingston & {Arthur Lee}. He reprehends highly the opposition the other {Delegates} made to it, talks of the superior urgency of the affairs of {Spain} to us & ca. {LaFayette} & {Mr. Marbois} assur'd me that {Mr. Jefferson} had been well recd. in the {Court} of {France} & that it was their wish he shod. succeed {Dr. Franklin}. {R. H. Lee} hath hitherto given all the opposition in his power to this appointment & will continue to do it untill opposition will be vain wh. I think will be the case. {Arthur Lee} is in the nomination for the Treasury bd. by {Mr.

Gerry} & {Mr. Mercer} by a delegate from Georgia. In a late ballot Osgood had 6 votes, {Mr. Mercer}, 5 votes & {Arthur Lee} two, Virginia votes for {Mr. Mercer} & seem'd inclin'd to suffer {Arthur Lee} to retire from the publick service in the opinion it will be advantageous to the publick.[5] It is propose'd to recommend it to the States to invest Congress with the power to regulate the commercial intercourse of the States with other powers, without wh. it is thought impracticable to comply with our ingagements in treaties or derive any advantage from them as a nation, to regulate the duties upon imports & exports, by wh. if wise regulations are adopted, we may take some share in the carrying trade by giving priviledges to our own citizens in the exportation wh. may encourage the merchants of the U.S. to employ natives as navigators as well as the merchts of other countries to take in partnership those of the States. To enable us further to act in concert in the measures wh. may be found necessary to counteract the policy of the powers with whom we have not treaties of commerce: propositions to this effect are before a committee.[6] The *regulation* & *revenue* are seperated from each other, the latter will go to the States unless conceded to the U.S. for particular purposes by each particular State. As a citizen & a lawyer I am pleas'd with the regulation taking place in the judicial department. I am yrs very sincerely, Jas. Monroe

P.S. I heartily wish we had a better cypher, as it is dangerous to trust those subjects upon wh. I wish most confidentially to correspond with you thus to chance & the curiosity of vicious or idle people. In this place I cannot procure a scribe, can you in Richmond?

RC (DLC: Madison Papers).

[1] See Madison, *Papers* (Hutchinson), 8:175–76.

[2] Words printed in braces in this text were written by Monroe in cipher.

[3] See John Jay to Benjamin Franklin, December 13, note.

[4] See Samuel Hardy to Patrick Henry, December 5, note 3.

[5] Despite these nominations, Congress could not reach a decision on the makeup of the treasury board while in Trenton, but elected John Lewis Gervais, Samuel Osgood, and Walter Livingston on January 25 after reconvening in New York. Arthur Lee was eventually named on July 27 after Gervais declined. See *JCC,* 27:649, 660, 665, 677–78, 685, 698, 28:18, 232n, 29:582.

[6] Monroe's December 6 motion for giving Congress "the general regulation of trade" was referred to a committee consisting of John Jay, Elbridge Gerry, Monroe, Richard Dobbs Spaight, and William Houstoun which was renewed January 24 with Monroe becoming chairman and William Samuel Johnson replacing Jay. The committee recommended on February 16 a fundamental revision of article 9 of the Articles of Confederation giving Congress "the sole and exclusive right and power...of regulating the trade of the States, as well with foreign Nations, as with each other, and of laying such imposts and duties upon imports and exports, as may be necessary for the purpose." On March 11 Congress instructed the committee "to report a circular letter to accompany the recommendation proposed in the report." Both the report and the letter were submitted on March 28 when they were ordered printed. See *JCC,* 28:17n, 70n, 148n, 201–5, 29:919; and PCC, item 186, fol. 170. For the fate of the committee's report, see Monroe to Thomas Jefferson, April 12, 1785, note 4.

Richard Dobbs Spaight to Alexander Martin

Sir, Trenton 18t December 1784

Your Excellency's Letter to the delegation of the 27th of November, enclosing an Act of the Legislature repealing the act ceding to the United States the unlocated Western Lands, was handed to us Tuesday last by Captain Craddock, together with a letter to the President of Congress on the same subject, which was laid before that body.[1]

I observe in your Excellency's Letter mention is made of the Assembly's having laid a tax to pay their quota of the interest of the foreign loan,[2] but no notice seems to have been taken of the requisition of Congress of the 26th April last, for the payment of part of the interest on the domestic debt, and for the expences of the Year 1784. I hope the Legislature have not passed over this matter in silence. It is certainly time that we should begin to make some payments into the Continental Treasury; of all the specie requisitions that have been made by Congress we have not complied with one, even in part, nor do we stand credited for a single dollar.

Nothing can be done at present respecting the appointment of a Commissioner for the settlement of the Continental accounts in our state, as Mr. Morris the financier has resigned. That department is hereafter to be entrusted to a board of treasury to consist of three Commissioners, Congress have several times balloted for them but have not yet come to any choice, next Tuesday is appointed for another trial, but I don't expect we shall make any choice until there are more states represented, having only nine states present. As soon as they are elected we shall have either Mr. Jackson (according to your desire) or some other person sent on to settle the accounts.

Since my last Letter to Your Excellency, Congress have resolved that it is necessary to send a Minister to the Court of Spain, and a day is assigned for his election.[3] Indeed our affairs with the Spaniards respecting the navigation of the river Mississippi, & their claims to the lands between the 31° & 32° degrees of North Latitude demand our earliest attention, and I am only afraid much time will be lost before we agree on the person who shall be sent. The conduct of great Britain also demands our most serious attention. Congress are at present deliberating on the measures necessary to be taken, and I expect a Minister will be sent to that Court. That nation so far from delivering up the Western Posts according to the Treaty, have, by the last accounts from Canada, reinforced the nearest post to the United States, And again put their shipping on the lakes into Commission, and for that purpose have sent back the sailors, that have been discharged, and were pretty far advanced on their route to Quebec.

This conduct of Great-Britain seems to me to wear a very hostile appearance, and ought to put us on our guard. By having a Minister at

that Court, we can be more readily informed of their intentions respecting us, or if they meditate any thing against us.

From the European intelligence it appears that hostilities have commenced between the Dutch and the Emperor, at least they have done that which the Emperor declared he should consider as a declaration of War; that is, they have stopped some Vessels bearing the imperial colours from going up the Scheldt; it is further said, that they have taken the Town of Sluys.

I have the honor to be &c, Richd. Dobbs Spaight

Tr (Nc–Ar: Governors' Letterbooks).

[1] For the North Carolina assembly's repeal of its act of cession, see Hugh Williamson to Martin, September 30, 1784, note 3. Martin's November 26 letter to Richard Henry Lee enclosing a copy of the act of repeal was laid before Congress on December 14. A duplicate copy of the letter in PCC is dated November 27. See *JCC*, 27:686n; and PCC, item 72, fols. 173–92. Both Martin's letter to Lee and his letter to the delegates were inexplicably printed under December 4 in the *N.C. State Records*, 17:110–12.

For Congress' response to North Carolina's repeal, see Spaight to Richard Caswell, June 5, 1785, note 2.

[2] For this law passed in the April session of the assembly, see ibid., 24:557–59.

[3] See Samuel Hardy to Patrick Henry, December 5, note 3.

Charles Thomson to John Dickinson

Dear Sir 22 Decr. 1784

I recd. yours of the 20. I feel for our Assembly. I am afraid they have been led into a wrong path by the popular arguments used to secure their election and by the artful management of some leading members who are deeply interested and who are utter strangers to the political as well as legal maxim that it is better to suffer a private injury than a public inconvenience.[1] I wish the assembly had confined themselves to a strict compliance with the last requisition of Congress and provided for the payment of one years interest & the discharge of those notes which they heretofore issued for a years interest on a former requisition. This I am persuaded would have extended to the utmost limits of their present ability. If however they find their finances in so flourishing a condition and are of opinion that justice requires that they should undertake in behalf of the United states to fund the public debt & provide for the annual & punctual discharge of the interest, why confine that justice to their own citizens? I grant that every state by its fœderal Act is jointly and severally bound to the public creditors for the payment of principal and interest, and they may rest assured that if they thus generously provide for the fulfilment of that obligation to their own citizens there is another class of creditors I mean those in foreign nations and particularly the Dutch, to whom a

very large sum is due, who will find means to compel them to extend that justice & generosity to them by reprisals on our trade & possibly by harsher measures. I say nothing of the breach in our fœderal government, this appears to have but too little weight, and I fear much that public calamity and a sad experience of the evils that will result from disunion will alone convince us of the advantages resulting from a fœderal government and the necessity of preserving it. I am pleased with the arguments of Council except, those which glance at a distinction between the holders of public securities. There is a political as well as moral Justice. If the latter demands of government a discharge of public debts, policy likewise requires from it support of its honor, its dignity, its existence and for the preservation of public credit and internal peace and harmony that there be no distinction made between the holders of similar evidences of the debt. Government is not accountable for the inequalities that arise among its citizens by their mutual contracts & mercantile transactions or dealings nor is it bound to equalize them, except where the fundamental maxims of its constitution requires an equal division of landed or other property. Esau sold his birthright for a mess of potage, but Jacob inherited the cave of Macphelan & the field adjoining,[2] nor do we find that Isaac annuled the contract.

The Arguments of Council are in my opinion conclusive against the law for appointing additional comrs. to settle the public accounts. The Assembly may be assured that the other states in the Union will not agree to be bound by their settlement, I am persuaded the Assembly themselves would have been among the first to complain had the same measure been taken by any other State.

Time will not admit a farther Answer. I shall endeavour to take a copy & send the first sheet of your letter back by this conveyance, if I cannot get the copy compleated before the stage sets out I shall send it by tomorrow's post. I am, Sir, Your obedient humble Servt.

Cha Thomson[3]

RC (PPL: Logan-Dickinson Collection).

[1] December 20 letters from Dickinson to the Pennsylvania delegates and to the president of Congress, enclosing Pennsylvania resolutions of December 1 and 16 concerning "the Claims of Individuals of this Commonwealth against the said United States," are in *Pa. Archives,* 1st ser. 10:369–71; and PCC, item 69, 2:479–86. Distressed at the slowness of the settlement of the Continental claims of many Pennsylvanians, the Assembly had authorized the appointment of two additional claims commissioners by the state to speed up the work, although under Continental regulations such commissioners were solely in the appointment of Congress and could not be citizens of the state to which they were assigned. Dickinson recognized that the Assembly's act violated such regulations, and consequently called for a joint conference between the Assembly and Council to address the impasse. *Pa. Council Minutes,* 14:280. The following day, December 16, the Assembly resolved simply "to request the United States . . . to appoint two or more Commissioners, in addition to the one already appointed, for the purpose of settling and properly certifying the claims of citizens of this State against the United States."

For the context of the political struggles that marked this session of the Assembly, which were sharpened by the recent return to power of the Constitutionalists, see Robert L. Brunhouse, *The Counter Revolution in Pennsylvania, 1776–1790* (Harrisburg: Pennsylvania Historical Commission, 1942), pp. 169–72.

[2] Cf. Genesis, 49:29–30.

[3] A transcript of the following letter from Thomson to the portraitist Robert Edge Pine, dated "Trenton 16 Decr 1784," is located in the James Duane Papers, NHi.

"I have the honor of introducing you to the acquaintance of Mr. Duane who is going to Philadelphia and proposes to call and view your paintings.

"He was one of the Delegates in the Congress of 1774, was one of those who were present at the declaration of Independance, attended Congress thro all the difficulties of the war, had a principal part in forming the Confederation of the States, and is a principal Character in the Revolution.

"He has it in view to recommend a Subject for your Genius."

Elbridge Gerry to James Warren

My Dear Sir, Trenton, Dec. 23, 1784.

It is fortunate that we arrived here as we did,[1] for otherwise congress would by this time have been in Philadelphia and the treasury in such hands as you and I could not approve.

There was a stronger party formed against us than I remember to have seen, but I think it will subside and matters be in good train again. We have carried two great points to-day by passing an ordinance, 1st. to appoint three commissioners to lay out a district on the branch of either side of the Delaware, within eight miles of this place, to purchase the soil and enter into contracts for erecting suitable buildings.[2]

2dly. To adjourn to New-York and reside there until suitable buildings are prepared. This I consider a fortunate affair in every respect but one. It is so disagreeable to our worthy secretary[3] that there is reason to apprehend he will resign his appointment.

We have been so happy also as to remove some objections on the part of Mr. Jay to the acceptance of his office, and he yesterday took the oaths and entered on the business of his department.[4] A report is now before congress for arranging the war office, and I think general Knox will be appointed secretary of war. Be assured I am on every occasion, Your's sincerely, E. Gerry.[5]

MS not found; reprinted from Austin, *Life of Gerry*, 1:469–70.

[1] Gerry and Rufus King had taken their seats in Congress on December 6. *JCC*, 27:661.

[2] See *JCC*, 27:699–704.

[3] That is, Charles Thomson.

[4] John Jay took the oath of office as secretary for foreign affairs on December 21 before Justice Isaac Smith of the New Jersey Supreme Court (Red Book, 9:86, MdAA), and on the 22d sent the following official dispatch, his first, to the French chargé d'affaires

the marquis de Barbé-Marbois. "Having accepted the place of Secretary for Foreign Affairs, it becomes my duty to inform you that Congress will adjourn to-morrow to meet at the City of New York on Tuesday, the 11th day of January next." *Diplomatic Correspondence, 1783–89,* 1:105.

[5] Gerry also wrote the following brief letter to Timothy Pickering on December 21.

"My Friend Mr King is in Want of such a Stove as You intend to purchase for me; will You be so kind as to procure it & forward it with mine to Thomas Russel Esqr of Boston, paying the Freight of both at Philadelphia? When these & the Chairs are procured, should I fall in Debt please to draw on me & your Drafts shall be immediately paid. They shall also be honored for any Sums wanted to carry on the Suit or to procure the Servant for Mr Gray."

Massachusetts Agents' Proposal

Last proposition made by Massac. 23d Decr 1784[1]

⟨*1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16*⟩

1
3–2
5–4
7–6
⟨*k j h g f e d c b a*⟩ 9–8 a b c d e f g ⟨*h j k*⟩

That if Either of 2 4 6 8 should decline accepting, their place should be filled by a nomination out of a b c d e f g ⟨*h j k*⟩ by the State of New York.

If 3 4 5 7 or 9 Should refuse their places to be filled by nomination out of the same by Massachusetts.

The notice to be given and if no answer shall be receivd by the first of March the place to be filled as if they had refused.

List 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 made by Mr Jay and Mr Lowell.

1
3–2
5–4
7–6
9–8 the persons agreed on

If 2 3 4 6 or 8 should decline their places to be supplied by Nomination by New York from 10 11 12 13 14 15 or 16.

If 3 5 7 or 9 refuse then their places to be supplied out of the same by Massachusetts.

The Judge who does not give an answer by the first of March to be considered as refusing.

That Copies of Records certified by New York and compared with the original by Such person as the Massachusetts Shall appoint may be r[e]ceived in Evidence without any objection arising on Account of not producing the Originals.

And so Vice Versa with regard to Massachusetts.

That the Caption of Depositions shall be deemed formal without any Commission being issued by the Court for taking them provided Days notice is given to the Secretary of the adverse State for the attendance of a Commissioner on the part of the State notified.

MS (NHi: Duane Papers). In an unidentified hand and endorsed by James Duane: "Last proposition made by Massa. 23d Decr 1784."

[1] For the context of the submission of this "proposition," during the process of selecting judges for settling the western claims controversy between Massachusetts and New York, see New York Agents' Journal, December 4–9, notes 5 and 6. The numbers and letters employed in this cryptic document correspond to the names on the lists previously exchanged by the agents of the two states. See also the following entry.

New York Agents' Proposal

Last proposition on the part of New York 23d Decr 1784.[1]

Harrison

	Patterson	⟨*Van Dyck*⟩	
elected	Reade	Rutledge	elected
by	Johnson	Wythe	by
N Y	⟨*Hooper*⟩	⟨*Gibbons*⟩	Mass.
	Smith	Grayson	
		Monroe	

	Beatty	
Nic	Van Dyck	
	⟨*Monroe*⟩	
Abner	Nash	
Arthur	Middleton	remain to supply vacancies in
	Gibbons	Cases of refusal
	Houston	
	⟨*Smith*⟩	
William	Hooper	

Agreed to propose that each party elect four besides Mr Harrison, And that those nine or any five who shall attend form the Court. That we will exchange lists when they please and that this aproval shall be final.

MS (NHi: Duane Papers). In the hand of James Duane.

[1] For the context and interpretation of this document, see the preceding entry, and note.

Richard Henry Lee to the States

Sir, Circular, Trenton Decemr. 24th 1784

I have the honor to enclose to your Excellency an Ordinance of Congress passed yesterday for fixing the permanent and temporary residence of that body.[1]

With sentiments of great regard and esteem, I have the honor to be, Sir, Your Excellency's Most Obedient Servant,

Richard Henry Lee

LB (DNA: PCC, item 16). Endorsed: "In the letters for New Hampshire, Connecticut, Delaware, Maryland & Georgia, the following was added. I am desired by Congress to request that you will be pleased to urge the Delegates from your State to repair to Congress as speedily as possible, to the end that the very important business now under consideration may receive the fullest, earliest and most mature deliberation."

[1] For this December 23d ordinance, authorizing the appointment of three commissioners for laying out a new federal town, "on the banks of either side of the Delaware, not more than eight miles above or below the lower falls thereof," and announcing that Congress would adjourn on the 24th "to meet at the city of New York, on the eleventh Day of January," see *JCC*, 27:699–704.

Elbridge Gerry to Arthur Lee

My dear sir, Trenton 25th Decr 1784

I arrived here the 6th & soon after recd your agreable Favour of Novr 15th—by the Appearance of the Cover, it had been opened, but if We have any political Secrets, they were not committed to this Letter. I am much obliged to You for your Communications respecting Indian Affairs; shall I be indulged in enquiring when your Negotiations will be finished, & how soon after may We expect the pleasure of seeing You at N York?[1] This is the place on which Congress have fixed for their temporary Residence, untill their fœderal Town shall be ready to receive them. It is ordained by Congress that three Commissioners shall be appointed to lay out a District in the Neighbourhood of this place, erect all the Build[in]gs, for the Use of Congress, except Houses for the respective Delegates, draw on the Treasury for a Sum not exceedg 100,000 Dollars &c &c &c. Mr. Jay accepts his Appointment & has taken the oath of Office. The Commrs of the Treasury first appointed have all declined, & You are in Nomination for the Office. Mr Russel of Boston desired me to inform You, that he should with great pleasure have attended to your landed Concerns in the province of Main,[2] but the Business is such as he is entirely unacquainted with, & he therefore wishes You would commit it to some of

your Friends who are better able to promote your Interest. Will You be so kind as to inform Mr Wythe, who is appointed one of the Judges in the New York & Massachusetts Dispute respectg Territory, that it will be a great Disapointment to the parties, if he or the other Gentlemen, in whom the Agents of both States have united should refuse to accept, as the Matter is important in its Nature, & requires Adepts in the Law to determine it. You know that in behalf of Massachusetts We desire nothing but [a] candid hearing & Decision, & I wish You would use your Influence to obtain Mr Wythe's answer in the affirmative— the Members are Mr Smith & Mr Patterson of this State, Mr Reed of Delaware, Governor Johnson & Judge Harrison of Maryland, Messrs Wythe, Grason & Monroe of Virginia & Governor Rutledge of So Carolina.[3] You know my Wishes that You might be one of this Court, but in Matters of this Kind We are often disapointed in our preferences. Adieu my dear sir & be assured I am yours sincerely,

E Gerry

P.S. I wrote You from Boston, did You receive the Letter? Nothing done yet respectg Your Salary.

RC (InU-Li: Signers of the Declaration Collection).

[1] For the recent negotiation of the treaty with the Indians at Fort Stanwix by commissioners Richard Butler, Oliver Wolcott, and Lee, see Richard Henry Lee to James Madison, November 20, note 1.

[2] For Lee's land interests in Massachusetts, see these *Letters*, 18:442n.2.

[3] For the selection of judges to hear the claim of Massachusetts to lands in New York—Isaac Smith and William Paterson of New Jersey, George Read, Thomas Johnson, Robert Hanson Harrison, George Wythe, William Grayson, James Monroe, and John Rutledge, see *JCC*, 27:709–10.

Samuel Holten to John Hancock

Sir. Trenton, 25th December, 1784.

I have the honor of informing your Excely., that yesterday the agents of Massts. & N. York, agreed upon the men to constitute a fœderal Court, to settle the dispute between the two states, viz, Honorable John Rutledge esquire, S.C., Honl. Messrs. Wythe, Graison, & Monroe, Virga., Honorable Messrs. Harrisson, & Johnson, Maryland, Honl. Mr. Read, Delaware, Honl. Messrs. Smith, & Patterson, New Jersey.[1]

I would also acquaint you, that Congress adjourned yesterday to the 11th of Januy. next, then to meet at the City of N. York; & previous to their adjournment, they determined to have a fœderal town & buildings erected near the R. Delaware, within the distance of 16 miles, ei-

ther on the side of Pennsa. or N. Jersey, not far from this place, & appropriated 100,000 dollars for that purpose,[2] but how the money is to be procured, I am not able to say.

I have, with perfect consideration, the honor to be, your Excellency's most obedient Servant, S. Holten

RC (M–Ar: Revolutionary War Letters).

[1] See *JCC*, 27:709–10.

[2] See *JCC*, 27:696, 710.

Samuel Holten to Daniel Van Voorhis

Sir, Trenton, 25th. December, 1784.

Congress having adjourned to meet at the City of New York on the 11th day of January next, and as I expect to be in New York in a few days, it would be agreeable to me to board with you, if you can accommodate me much in the same manner you did at Princeton,[1] but if you have not house room, or do not incline to board me, please to be so kind as to think of some convenient place & I will call on you, upon my coming to the City;[2] the Honl. Mr Partridge a Colleague of mine, wants to be accommodated much in the same manner as myself; And I am desired by the honl. Mr Ellery & Mr. Howell that you would consider of some suitable place for them to board, & if we could live near together it would be most agreeable; However, I do not desire you to engage any lodgings for us before we arrive & see the places, so as that we should be obliged to take them.

Please to make my kind respects to Mrs. Voorhis.

I remain with great esteem, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Van Voorhis, who had left New York City after its occupation by the British in 1776, was one of the residents of Princeton who had attempted in October 1783 to convince Congress that adequate housing was available for the delegates if Congress decided to remain there for the winter. PCC, item 46, fols. 123–24. He apparently returned to New York after the British evacuation and in the *New York Directory for 1786* (1786; reprint ed., Trow City Directory Co., 1889), was listed as a silversmith located at 27 Hanover Square. In October 1786 he petitioned for appointment to the post of master coiner of the mint Congress had recently resolved to establish. See *JCC*, 31:876–78, 910; and PCC, item 42, 8:101.

[2] Holten remained in Trenton nearly two weeks longer, writing to James Sullivan on January 3d that he expected to leave Trenton "on Wednesday next [the 5th]." Holten Papers, DLC.

Richard Henry Lee to George Washington

Dear Sir, Trenton December 26th. 1784

I had the honor to receive your obliging letter, of the 14th instant,[1] seven days after its date; and I thank you Sir for its friendly contents and sensible communications. Your ideas concerning the western country are wise and just. They will certainly have great weight when that business shall be discussed in Congress: and that will probably be the case soon after we know the success of our commissioners at Cayahoga.

Much time hath been taken up in debate upon the permanent and temporary residence of Congress, and finally it is determined that the former shall be on the banks of the Delaware, not exceeding eight miles above or below this place, and on either side of the river that may be fixt upon by commissioners to be appointed for the purpose of superintending the fœderal buildings. New York is to be the temporary residence, and Congress stands now adjourned to meet in that City on the 11th of January next—when I hope that we shall diligently put forward the public business. Spain seems determined to possess the exclusive navigation of the Mississippi, which, with the bickerings that appear already on that quarter, will oblige Congress to send an able Minister to Madrid. And one also to the Court of London, that we may, if possible, negotiate commencing differences, before they have proceeded too far. The western Posts are with-held, and an encroachment already made on our north-eastern boundary. An ambiguity in the Treaty arising from there being two rivers named St. Croix that empty into Passamaquady Bay has encouraged the British to settle the country between them—thus determining in their own favor the right to an extensive and valuable country. The fact is, that the eastermost of these rivers is the true St. Croix, the same name having been of late date only, applied to the westermost of these waters. The very unfriendly commercial principles entertained by the B. Ministry and the disputes concerning debts and removed Negroes, are points of consequence also; which together form a field for able and ample negotiation.

The Marquis Fayette had embarked for Europe before the letter for him that you enclosed came to my hands.[2] I should be glad to know your pleasure concerning it—whether I am to send it on to France after him, or return it to you?

My respectful compliments attend your Lady, and wishing you and her the compliments of the season, I am, with very great esteem and regard, dear Sir, your most obedient and very humble servant,

Richard Henry Lee

RC (DLC: Washington Papers).

[1] See Washington, *Papers* (Abbot), Confederation Series, 2:181–83.

[2] For Washington's December 8 letter to the marquis de Lafayette, see ibid., pp. 175–76.

Richard Henry Lee to James Madison

Dear Sir, Trenton Decr. 27. 1784

Your favor of the 11th[1] reached me ten days after its date and after the post had gone out for that week, so that I fear this letter will not get to Richmd. before the adjournment. The proceedings of last Assembly respecting B. debts have not yet been before Congress, because they have not arrived at this place. It seems that they were deposited in Mr. Hardys Trunk which a variey of accidents have prevented him from getting brought here before the adjournment of Congress, which took place on the 24th.[2] They have determined to make New York the place of their temporary residence, & the permanent one is to be on the banks of Delaware within 8 miles of this place, where the fœderal buildings are to be erected as soon as possible. The new Congress meets on the first Monday in Novr. annually. Now it is plain that since the meeting of our Assembly is not until late in October, and as they seldom convene until long after the stipulated time, there is no probability of Virginia being represented for a considerable time after the fœderal time appointed.[3] North Carolina [*is*] in the same situation, and to avoid the inconvenience has already sent forward her choice of Delegates for 1786 to take their seats on the 2d Monday in Novr. 1785.[4] The Confederation says, to meet *on* the 1st Monday, yet the Credentials of most States, & ours among the number, has it *From* the 1st Monday, which inaccuracy has caused some debates in Congress, and is fitted to exclude Members for one day, and thereby, in some instances may be productive of inconvenience—this should be alter'd in our next form. I think that the Assize law will improve much the dispensation of Justice in our Country, a thing devoutly to be wished. I am very apprehensive that a war with the Southern Indians will take place. Land Speculators, & Spanish jealousy will probably force it on, before our treaty with them can take place. We have such momentous concerns with the two courts of Madrid & London, that we shall be obliged to send special Ministers to each of them, or else a war may be the consequence of neglect. Mr. Madison has been nominated for Spain,[5] and is much approved by the Southern States. The conversation concerning a Continental Convention has ceased for some time, so that perhaps it may not be revived again. The pointed manner in which Spain insists upon the exclusive navigation of Mississippi renders it of more important consequence to explore & improve the navigation of the waters running thro our States. In a few days I proceed for N. York, having given a little time for fitting a Presidents House there. The Members of Congress, except two or 3, are already departed for N. York & Philadelphia.

RC (DLC: Madison Papers). In Lee's hand; complimentary closing and signature clipped.

[1] See Madison, *Papers* (Hutchinson), 8: 180–81.

[2] The June 22 resolves of the Virginia assembly "respecting B. debts" may have been received by the Virginia delegates in early July, for which see Samuel Hardy to Benjamin Harrison, July 2, 1784. The assembly sought a remonstrance to the British court concerning the removal from New York of slaves taken during the war by British troops—a violation of the 7th article of the peace treaty. The assembly also informed the delegates that until proper reparations were made, it would not repeal wartime measures inhibiting the recovery of British debt—a clear infringement of the 4th article of the treaty. It is not known when these instructions may have been presented to Congress, but they appeared on the journals as part of John Jay's report of October 13, 1786, on noncompliance with the treaty of peace. See *JCC*, 31:825–27; and Madison, *Papers* (Hutchinson), 8:203n.1.

[3] See Lee to Madison, November 26, note 2.

[4] These credentials were apparently lost, however, and a new commission issued by Governor Caswell was retrospectively entered on the journals May 3, 1786. See *JCC*, 30:229–30.

[5] Lee mistakenly wrote Madison's name for "Mr. Jefferson."

Lambert Cadwalader to George Mitchell

Trenton Decr 28. 1784. Requests "a Copy of Stacey Potts Note & Acot" and reports details concerning a number of other accounts he is attempting to settle.

"I shall go to N York on Friday week to attend Congress who have adjourned thither, to meet 11 Jany. They have passed an Ordinance that permanent Residence of Congress shall be within eight Miles of the lower Falls of Delaware, either above or below as the Commissioners to be appointed by them shall determine so that we shall have them in this Neighbourhood some Time hence. They have appropriated 100,000 Dllrs wh[ich] they have in ready Cash to begin the Buildings &c. In the mean Time they are to remain at N York. . . .

"If your State[1] & Maryland had been represented in Congress on the Occasion of the late important votes respecting the Residence of Congress, both temporary & permanent, it is thought Philada would have certainly had a vote for the former if not the latter, provided those two States would have given their votes in this Manner. . . .

"P.S. I expect to return Home the Beginning of March & to be with you in Time."

RC (NHi: Miscellaneous Manuscripts).

[1] That is, Delaware. See *JCC*, 26:292–95, 27:699–704. Mitchell was a resident of Dagsboro Hundred, Del., a member of the Delaware Assembly, 1784–86, of the Legislative Council in 1788, and of the constitutional convention of 1791–92. Claudia L. Bushman et al., *Proceedings of the House of Assembly of the Delaware State, 1781–1792, and of the Constitutional Convention of 1792* (Newark: University of Delaware Press, 1988), p. 966.

Samuel Holten to Thomas Cushing

Dear Sir, Trenton, 28th Decembr. 1784.

I have been honored with your attention of the 9th instant. I thank you for your good wishes respecting my health, & permit me to return you the like salute.

No doubt before this comes to hand you will have heard that Congress stands adjourned to the City of New York the 11th of January next.

While we were assembled here much of the public business was taken up & referred to the consideration of committees, but little business has yet been compleated.

As to what number of states have fully complied with the impost, I am not able to say, the matter is now referred to a committee, however, I think it must take place in whole or in part, for I can't conceive of any other method that can be devised that will be less burthensome, or give greater satisfaction to the public creditors, & more likely to do justice to all.

I am informed that the reasons why Mr Pennell has not proceeded to Boston "to settle the marine accounts,"[1] is, that the accounts of the late Navy board are not ready.

As to giving Congress credit for the sum you are pleas'd to mention, that is due to Messrs. de Neufville & Son, Mr. Pennell may not think himself authorized to allow it, but this I mention only for your consideration, not knowing how large his commission is, & if this should be the case, you might then state the matter to the head of the department, or even to Congress if found necessary, & receive their directions, probably, time enough to settle it with Mr. Pennell, as most likely he will be some time in Boston.

The affairs of the Emperor & their High Mightinesses, seems to put on a very serious appearance,[2] however, I can't yet believe that they are ready to engage, for the consequences of a War would most probably, involve nearly all the powers in Europe, & might extend to America, which no doubt they are sensible of, & therefore, I conclude they will be *very* cautious how they proceed.

The return of all such persons, to live with us, as have been called tories, would be grievous to the good people, but I am clearly of opinion, they would do us much less damage here than in G. Britain, for we could manage them best at home: favours from them we are never to expect, but the contrary, despair & revenge, we may suppose actuates many of them, considering they are forever exiled from their country.

I have, with sincere respect, the honor to be, your most obedient,

S. Holten

RC (MiU–C: Miscellaneous Manuscripts).

[1] Joseph Pennell, formerly paymaster in the marine office, had been appointed by Robert Morris commissioner for settling the accounts of the marine department. Morris, *Papers* (Ferguson), 3:23.

[2] That is, the confrontation between Joseph II and the Dutch over the closing of the Scheldt.

Massachusetts and New York Agents to James Monroe

Sir New York December 28th 1784

Before this shall reach you, your appointment as one of the Judges to hear and determine a cause of great consequence and expectation between the States of New York and Massachusetts will be notified to you in form by Congress.[1] As both parties are desirous of the attendance of all the Gentlemen in the appointment, the Subscribers Agents for the contending States have conceived it to be their duty to ask the favour of the presence of all the Judges upon the Trial. We are urged to this by an ardent desire of preserving an harmony and cultivating a good understanding between the respective States which in this matter we represent: for should a cause of this magnitude be decided by a bare quorum of the Federal Court it would not probably give that satisfaction and contentment which might otherwise be expected.

A Federal Court is the only method of deciding controversies on real property between the States, & should Gentlemen of the first rank in point of ability decline the Office this institution however useful and necessary must sink into disrepute and be rendered incapable of yeilding that advantage which the union expected from it.

Though we consider a pecuniary compensation as the least inducement to your attendance yet we do assure you that it shall be such as will give you the most intire satisfaction. The first Tuesday in June next is agreed on for holding the Court.[2] Please to direct an answer to the President of Congress.[3] We are with sentiments of esteem and respect, Your most Obedient humble Servants,

J Lowell James Sullivan R King	Agents for Massachusetts	Jas. Duane John Jay Walter Livingston	Agents for New York

RC (NN: Monroe Papers). In a clerical hand, addressed by James Duane, and signed by John Lowell, James Sullivan, Rufus King, John Jay, Walter Livingston, and Duane. FC (NHi: Duane Papers). In a clerical hand and endorsed by Duane: "Letter from Agents of Massachusetts and New York to the gent. nominated Judges of the federal Court. *Circular.* 31st Decem 1784. Separate Letters signed as above addressed to the honorable Robert Hanson Harrison, John Rutledge, George Wythe, William Grayson, James Monroe, Thomas Johnson, George Reade, Isaac Smith, William Patterson."

[1] For Monroe's appointment as one of the judges to hear the Massachusetts-New York western land dispute, see *JCC*, 27:709–10; and New York Agents' Journal, December 4–9, notes 5–7.

This letter was written under the assumption that attested copies of the December 24 congressional proceedings on the selection of judges would soon be transmitted by the president or secretary of Congress, but that expectation was disappointed when differences between the Massachusetts and New York agents broke out over the site of the trial after Williamsburg was selected on January 21. The agents probably sent copies of this letter to all nine of the judges on December 28 or 31 (see document note), but further communication became surprisingly irregular. The Massachusetts agents sent additional letters to at least five of the judges in January, and President Richard Henry Lee wrote to John Rutledge on the 24th, but Lee's failure to send official notification to the other judges while the New York protest over the Williamsburg site was pending led the Massachusetts agents to send a special courier to some of the southern nominees in a desperate effort to ensure the appearance of a quorum at the appointed time. Furthermore, the New York agents refused to cooperate in certifying to President Lee that the two parties had agreed upon the first Tuesday in June for the court to convene, although this agreement had been reached before the present letter was written. For the documents related to these developments, see Massachusetts Agents to John Rutledge et al., January 14, and to William Paterson, January 24; Richard Henry Lee to John Rutledge, January 24; Massachusetts Delegates to John Hancock, February 7; and Massachusetts and New York Agents to George Wythe, April 9, 1785.

[2] For the difficulties encountered in certifying this date to Congress, see Rufus King's Certificate, January 22, and King to John Jay, January 24, 1785.

[3] For Monroe's response to President Lee signifying his acceptance, see JCC, 28:182; and Monroe to Lee, March 20, 1785. The responses of the other eight judges (in the order recorded in the journals) were as follows: Robert Hanson Harrison declined, February 15 and March 3; Thomas Johnson accepted, February 15 and 27; George Wythe accepted, February 23; William Grayson declined, March 21; Isaac Smith accepted, March 6; William Paterson accepted, March 26; George Read accepted, March 30; and John Rutledge declined, March 26. See *JCC*, 28:125n, 181, 181n, 182, 187n, 199, 211, 320, 351; and PCC, item 49, fols. 277–80, item 78, 10:495–98, 12:379–86, 13:321–24, 333–40, 19:479–86, 21:367–70, 24:503–6. For the appointment of judges to replace Grayson, Harrison, and Rutledge, see Charles Thomson to William Fleming, Samuel Johnston, and John Sitgreaves, June 9, 1785.

Richard Dobbs Spaight to Edward Hand

Dear Sir, Philadelphia 28th December 1784

Your favor of the 6th Instant I only recd. a day or two before Congress Adjourned from Trenton; the hurry of business and the immediate removal from thence to this City prevented me from answering your letter sooner.

I have not yet got quite the better of my indisposition. I am still afflicted with a sore throat & sore mouth tho' otherwise in tollerable health.

Your request of an Epistolary Correspondence I shall cherfully comply with & shall be very happy to hear from you by every opportunity—and tho' we have moved to New York, hope to have the pleasure

of seeing you before the Spring. Mr. Richd. Henry Lee of Virginia after a dozen different ballottings was elected our President.[1] I enclose you a list of the Delegates of the different States that have made the appearance in Congress. The Resolves respecting the adjournment to York being published in the papers I need not say any thing about them here. The Want of Maryland and Delaware kept us from coming to this City, which I assure I should have prefered to New York, but our situation was such that we must either have passed the Winter in Trenton or Consent to go to N.Y.—the choice of course was not difficult—Philada. had five ays.[2] This Congress appears to be much better disposed to do business than the last, & I think our residing Northerly will prove advantageous by Uniting all the States to the southward of Connecticut together. You will find by the list, that we have got rid of those two Dealers in *troubled Waters,* Gerry & Howell. I am affraid they will prove an eternal plague to us.

It gives me pain My Dear Sir, to be obliged to request three or four weeks farther indulgence, for the payment of my Note. I had arranged matters before I left home in such a manner, as I thought would enable me to pay the money immediately on my arrival here, without any inconvenience to myself, which would have been the case had n[ot] this unexpected flight to New York taken place which has deranged my money matters very much, and being likewise disappointed in a remittance which I expected to have recd. before this time.

I am in daily expectation of receiving money from North-Carolina, and the first that is remitted shall be appropriated to the payment of the Note. As all my remittances will be made thro' Messrs. Stuart & Barr of this City, I will leave orders with them to call on Mr. Crawford and take it up with the first monies they receive on my Account. Notwithstanding my situation if you should be in immediate want of the money I shall make use of every exertion in my power to raise the money by borrowing or otherwise, to try and pay it before I leave this to go to New York, which will be about the 7th or 8th of January as Congress meet at that City on the 11th. I am with great Regard, Dear Sir, Your most Obt. and most hum. Servant,

Richd. Dobbs Spaight.

P.S. I would wish to hear from you before I leave Town.

RC (MBU: Stone Collection).

[1] See Charles Thomson to the States, November 30, note.

[2] For Samuel Hardy and Spaight's December 23 motion for Philadelphia, see *JCC,* 27:702.

Samuel Holten to Josiah Converse and Job Whipple

Sir. Trenton, 29 December, 1784.

Upon my being acquainted with the late proceedings of Congress, I find a Resolution, which I enclose a copy, notwithstanding, I have so far supported your petition,[1] as to have it referred to the Consideration of a come. but when they will report or how soon after I shall be able to git Congress to attend to the same, is uncertain, there being such a multiplicity of important business before them. I shall only add, that you may be assured of my attention to the same, & that I don't forgit an absent friend. I am, with great respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten and endorsed by him: "Copy of a letter to Capt Job Whipple Decr. 29, 1784, & also a copy of a letter to Josiah Converse, excepting the last sentence, & the address."

[1] Enclosure not identified. The petitions of Whipple and Converse are not in PCC, but they had been referred on December 8 to a committee consisting of Jacob Read, John Bull, and William Houstoun, which was renewed on March 14 and reported on April 18, 1785. The committee's recommendation, that they be "referred to the Secretary at War," was adopted by Congress the same day. *JCC*, 28:157n, 276; and PCC, item 186, fol. 171. Whipple had been an officer in the Massachusetts Line from May 1775 and was captain in the 5th Massachusetts Regiment from January 1777 to January 1783. Converse had been an ensign in the 3d Massachusetts Regiment. Heitman, *Historical Register*, pp. 133, 430.

Although neither petition has survived, another that was referred to the same committee, from Capt. George Turner of the 1st South Carolina Regiment, is in PCC, item 41, 10:247–49. It is endorsed "Negatived 23 Feby. 1785."

Charles Pinckney to Benjamin Guerard

Sir Philadelphia Decr. 30th. 1784.

I had this moment the pleasure of your Excellency's favour of the 18th of December & as I mean to answer it fully in a few days either by the return of Captn. Allibone or by the Post, should the ice in the Delaware prevent Captn. Allibone's soon returning, I will just at present mention that after sitting between three & four weeks the question of adjourning from Trenton was agitated, and after several leading motions were carried, it was finally determined, that a fœderal town should be erected near the falls of the Delaware—that Commissioners should be appointed to fix on a proper spot, & that as soon as an exclusive right of soil & such jurisdiction as Congress should deem

necessary could be procured, the buildings should be erected, & that until they were ready for the reception of Congress, they determined that New York should be the place of their session. One hundred thousand dollars are appropriated for the erection of these buildings, & as soon as a safe Opportunity can be met with, the Ordinance together with the official dispatches respecting this business will be transmitted your Excellency.[1] On the 24th Congress adjourned from Trenton to meet at New York on the second Tuesday in January, at which time Mr. Read, Mr. Bull & myself will, if no accident should prevent, make a point of being present. As soon as the Journals of our Proceedings at Trenton are published, they will be sent to your Excellency.

We are much obliged to your Excellency for the Treatises on Commerce, & as some recommendation to the states respecting the internal arrangement of our commercial system is now under commitment & will soon become the subject of very serious discussion,[2] it will become the delegates of a state so importantly concerned as ours to pay very particular attention to every measure that may affect its Commerce.

The report of the Committee on the southern Indians will soon be called for after our meeting,[3] & I trust such arrangements made as will tend to secure a permanent Peace with them, founded on treaty, & place our frontiers in a state of safety.

I mentioned to you in Novr. last[4] that Mr Read meant to return with his Mother & family to Charleston, & since that time that he has altered his mind. As this will reach you before the legislature will enter upon any business of consequence, I must repeat to your Excellency that Mr. Read has agreed to meet Congress with us at New York, so that any determination of his respecting his remaining or returning, is only to be taken from his own Letters—for my own part, I am inclined to think he will remain if reelected. The many & important affairs now in agitation & which must be determined in the course of the spring, will induce him with Mr Bull & myself to remain & pay the closest attention to the business of one of the most important sessions that has been held for many Years.

I shall write your Excellency soon & more fully—in the mean time I shall be glad to be honoured with your Commands, & remain with respect, Your Excellency's Most obedt. & most hum. servt.,

(signed) Charles Pinckney

Tr (ScCoAH: Governor's Messages).

[1] See Pinckney to Guerard, January 2, 1785, note 1.

[2] See James Monroe to James Madison, December 18, note 6.

[3] See South Carolina Delegates to Guerard, January 25, 1785, note 8.

[4] See Pinckney to Guerard, November 22, note 3.

Pierse Long to Meshech Weare

Sir, New York Jany. 1st. 1785.

I have the honor to inform your Excelly. of my arriving at Trenton the day Congress adjourned to this city to meet the 11th Instant—by the inclosed paper you will see their Resolves for that purpose.[1] My next will be by a vessel bound from this place to Portsmouth, by whom I expect to transmit the Journals of Congress so far as they may be prepared at that time. In the interim I am with sentiments of Esteem & Respect, Your Excelly, Most Obedt. Huml. Servt.

Pierse Long

P.S. I expect Mr Foster will be here in a few days, from Princeton—where I left him two days ago.

RC (MHi: Weare Papers).

[1] That is, of December 23 and 24, 1784. *JCC*, 27:704, 710.

James Monroe to Patrick Henry

Sir Phila. Jany. 1st. 1785

I transmit to your Excellency the resolutions of Congress respecting the places of their temporary & permanent residence. In the first view, the question was put on Phila. & negativ'd, Pensyla., Virga. & the three southern States voting for it; then on N. York & carried, the southern States, except Georgia, acceding to the measure.[1] Every State seem'd sensible of the necessity of our removal from Trenton, for the several delegations exclusive of the officers of Congress & the foreign ministers could not obtain tolerable accommodations there, and we had already experienc'd inconvenience from these circumstances. We put the question upon Georgeton for our permanent residence but it was negativ'd; it was then put on the falls of the Delaware & carried by 8 States. Sensible of the propriety of coming to some decision upon this subject, from a conviction that the publick named character must suffer from their remaining longer in the late fluctuating state, all Congress shew'd an earnest solicitude to effect it. The majority of the States were decidedly in favor of the latter position, & we had only the alternative left us of acceding to a measure which the superior voice of the union requir'd, or to frustrate it & keep the business fluctuating as heretofore, which could be effected only in the absence of N. Hamshire or Connecticut, whose delegations were daily

expected, & we prefered the former course. I have the honor to be with great respect & esteem yr. Excellency's very humble sert.

Jas. Monroe[2]

RC (MH–H: bMS Am 1649.5).

[1] See *JCC*, 27:699–704.

[2] In a January 11 letter from Philadelphia to an unknown correspondent (perhaps his uncle, Joseph Jones), Monroe expressed his intention to leave for New York the next day. "Read & Bull are here; Pinckney & Spaight left town this morning." Monroe Papers, ViU. And on January 17 Richard Henry Lee, writing from New York, noted that "Colo. Monroe . . . is now in this City, & so is Colo. Spaight." Shippen Family Papers, DLC.

Charles Pinckney to Benjamin Guerard

Sir, Philadelphia January 2nd. 1785

Inclosed your Excellency will receive a letter which the president of Congress has desired me to transmit, containing the Ordinance lately passed respecting fœderal buildings for the reception of Congress on the Banks of the Delaware, & the fixing the City of New-York as their temporary residence, untill such buildings are completed.[1] It was thought more proper to leave the building of Hotels for the Members of the different States, to the States themselves; proper places will be allotted & as soon as the fœderal buildings are begun, it is expected the different States will commence the erection of such buildings as are necessary for the reception of their Members. In fixing the permanent residence, Health, security, and the center of population were the principal objects of our attention. The spot fixed on, being at the head of the navigation of the Delaware, in a Strong Country & without the reach of a Surprize, should we at any time be suddenly engaged in a War, was therefore deemed the most eligible. The sum of one hundred thousand dollars is Voted for the purpose of begining the Buildings, & a day is assigned for the election of Commissioners to carry the ordinance into execution: so that we may with some probability, suppose this business is now in such a train as to promise its accomplishment.

As soon as the Contracts are compleated & a time fixed for purchasing the soil & commencing the plan, the states will have the earliest information, and it will then become them to appropriate a sufficient sum, for the purpose of erecting a public building for the reception of their own Delegates.

The measure of a permanent residence & the determination of Congress to remain in some one convenient place, where they may be properly accomodated untill the fœderal buildings were ready to receive them, were deemed the most probable means of restoring the dignity of our Government, for surely no System could tend more

forcibly to lessen its consequence, than that of establishing a double temporary, as well as permanent residence, driving them from large & respectable Cities into Towns inconvenient of access & where the utmost politeness & exertions of the Inhabitants were inadequate to their accomodation.

We stated the impropriety of this itinerant System in the Strongest terms our knowledge of the Language would admit, appealed to their own experience of its inconveniencies as an incontestible proof of it's absurdity, & at length after Several leading resolutions had been carried, the inclosed Ordinance was brought in & agreed to, as comprising every thing we wished—establishing the means of erecting a fœderal Town & in the interim fixing the temporary residence in a City where the dignity of the Union may be maintained, the Members of Congress well accomodated, & the foreign Ministers & others who may have business with them, attended to.

While we were sitting Congress received authentic information, that the Court of Spain was determined to dispute our right to navigate the Mississipi; indeed official communications were made to this purpose thro' the Chargé dés affaires of France, inclosing a paragraph of a letter from Don Joseph De Galvez Minister for the Department of the Indies to that effect[2]—the Letter with its inclosures were referred to a Committee of which I was one, after attentively considering the importance of the navigation to the Inhabitants of the Western Country—the probability of a rupture should our Citizens attempt to Navigate it, & the Spaniards in Consequence of their Orders Should seize & confiscate their Vessels & cargoes, & above all the serious & unprepared situation of our Southern frontier, should the inhabitants of that District be driven to extremities—that we had received certain Intelligence of the Spaniards having lately held treaties & been tampering with Several tribes of the Southern Indians, that they had countenanced & still retained within their lines a considerable number of the Refugees & other Banditti who accompanied the British Army, evidently with a View of using them Should a War break out, & that these with the Indians & such Regulars as could be spared from their Garrisons at St. Augustine, Pensacola, or perhaps from the West Indies, would make such an irruption into that Country as might require a formidable force to resist & that with a little policy & good management we might not only enjoy our right to the Navigation in peace, but open an extensive, useful & very beneficial commerce with the subjects of the King of Spain both in Europe & America.

These reasons induced us to recommend the appointment of a permanent Minister at that Court, not only for the purpose of adjusting our interfering claims upon this occasion, but to secure to us a participation in the commerce of a Nation, which, if we except Portugal, will be more lucrative to America than the trade of any power in Europe.

After several days the report was agreed to & a day assigned for the election of a Minister—a motion is since made to reconsider this appointment—we debated a day upon it & postponed the determination; however I think we shall not agree to rescind the resolution. I am rather hopeful that the measure we have frequently suggested of having four permanent Ministers in Europe, will be adopted. We have already two, one at Versailles & another at the Hague, and no One who has the least knowledge of the affairs of this Country will say, that Ministers are not fully as essential if not more so, at the Courts of London & Madrid; they are both our Neighbours, & both dispute our Boundaries; there are certainly no Powers from whom we have more to apprehend; none upon whom the strong passions of pride & revenge operate more forcibly, or none with whom every part of the Union, is more deeply or extensively connected.

Notwithstanding our distance, we must still be so connected with the commercial States of Europe, that it will be absolutely necessary to have permanent Ministers at the Courts I have mentioned, who may be also impowered to Superintend our affairs with the other powers, where we may only have Consuls; for tho' it may be improper in Us to interfere in their Politics, yet still we should always endeavour to procure the best & earliest information of what they are doing, that we may be in a condition to measure our proceedings with greater justness. Such intelligence can only be obtained from the residence of permanent Ministers, who have been among them a sufficient time to acquire a competent knowledge of their Strength, the situation of their financies & commerce, & particularly the capacity of the ruling Minister & the credit he is in with the Nation. If the measure should be acceded to, our affairs at this time point out the Necessity of sending the most enlightened & judicious Men we can procure; the concerns in which they will be engaged are important, & may eventually involve the most essential interests of the Union; and as it may be necessary to explain the Articles of treaties & insist upon a performance of them, and by putting an end to differences arising upon this Subject, a rupture might be prevented, we shall I trust, be able to find men with all the talents which the ministry of foreign affairs requires.

Our latest advices from Europe say, that treaties of commerce with Denmark & Prussia are now in forwardness, and we expect soon to hear that we have concluded them with Portugal & the Barbary States. We have not yet received any Authentic information upon the two last, but our Commissioners will certainly pay very great attention to them, as treaties with them are in my judgement exceedingly important to the Commerce of this Country.

The department of finance being in Commission, we have lately had three attempts to elect Commissioners, but without effect. I mentioned in one of my former letters that the Delegates from the differ-

ent States, were now so elected as to take their Seats from the first Monday in November agreeable to the Confederation, I therefore suppose the Legislature at their present session will conform to the recommendation of Congress & elect their Delegates for the ensuing Year to remain 'till next November only, & then to elect again for the Year after.[3] If the Legislature should not meet in the Summer they should either elect Delegates to take their Seats next November or empower their Delegates now to be chosen to remain untill re-elected, or others may arrise.

The recommendation of Congress is intended to prevent confusion in the different credentials, which are now all transmitted under the great seal of the different States and lodged in the Secretarys Office.

Mr Jay has accepted the Office of foreign affairs & a day is assigned for the appointment of a Secretary at War. These two departments will soon be ably filled & placed upon the most respectable establishment our finances will admit.

The Resolutions of the 18th April 1783 are referred to a Committee who have not yet reported.[4] A motion has been lately made which is also referred to a Committee, the object is, a very interesting one, and I should suppose will meet the approbation of Congress; it is to recommend to the different States to invest Congress with the power of regulating our trade under certain limitations.[5] In this recommendation the two Objects of regulation & revenue, are kept seperate and distinct, for all the duties that may be imposed on foreigners, with whom we have no treaties of Commerce, will be collected by the Officers & paid into the treasury of the State where it may become due, for the use of that State; I have not yet had time to consider this matter as fully as I intend, but at present upon Viewing the relative situation of our Commerce with some of the European powers, and particularly those who have laid heavy duties upon our most valuable articles of exportation, I think it will not be difficult to ascertain what our conduct ought to be upon this occasion, or how soon it may become us to take such steps, as will oblige them to place our trade on an equal footing. It is so clear that these States can only derive consequence & power from an attention to agriculture & commerce that the necessity of a regulating power somewhere must be obvious to every one who has considered the subject—it is plain also that this power can be placed only in Congress, and I should suppose that after being invested with it, their regulations will be so constructed, as not only to rescue our Commerce from it's present oppressions, but by a tonnage on foreign Shipping exporting our produce, or by preventing the Vessels of one nation importing the products or manufactures of another, & regulations of this kind, encourage the American Merchants to import & export in their own Vessels. If we should not favour our Citizens more than Strangers, our Commerce must be de-

stroyed for want of giving proper encouragement to their Industry, and the State instead of traders will only have Commissioners.

In respect of this, every power should depend only on itself. After we have made such regulations as we judge to be best calculated for our situation, the nature of our property & the industry of our Inhabitants, I hope we shall always have resolution & Constancy enough never to derogate from them in favor of Strangers; all our Policy should Consist in this resolution. Except with two or three Powers of Europe, I am not very friendly to treaties of Commerce. In our Treaty with France I could point out many articles in which we suffer exceedingly, however as that was formed at a time when we were not very at[tentive] to the equal rights of Commerce, we may rejoice it is not more oppressive. At present, I think we should be very cautious, how we enter into any more, unless we should find ourselves in such a situation, as may authorize Us to demand some prerogative of a foreign power, without being obliged to purchase it with an equivalent.

I am sorry the removal of our Offices & papers will prevent me from sending you the journals of our proceedings at Trenton, as soon as they are published you may be assured of receiving them.

Mr. Read accompanies Us to New York to meet Congress where he with Mr Bull & myself expect to be on the day to which we are adjourned. Mr Read does not at present talk of returning—his own letters will inform you of his intentions. I shall soon write you again & your Excellency may be assured that I shall pay the strictest attention to every communication you may think proper to offer, or the State to make to the Delegation, while I have the honor to remain in Congress. I remain with the greatest respect Your Excellency's Most Obedient Servant (signed) Charles Pinckney

P.S. I should suppose that Congress will adjourn as usual in May or June, 'till November & the Committee of the States sit in the interim. CP.

Tr (ScCoAH: Governor's Messages).

[1] See Richard Henry Lee to the States, December 24, 1784.

[2] See Samuel Hardy to Patrick Henry, December 5, 1784, note 3.

[3] See Pinckney to Guerard, December 14, note.

[4] A committee consisting of John Francis Mercer, John Jay, and David Howell had been appointed on December 17 on Mercer's motion "to consider whether any & what measures may be necessary for Congress to adopt in pursuance of their recommendats. to the States of April 18th 1783." The committee was renewed on January 17 (Howell, James Monroe, and Samuel Holten) and renewed again on February 15 with the addition of William Samuel Johnson and John Beatty. Its March 14 report was considered the following day but Congress took no action on its proposal to send a congressional delegation to Rhode Island, New York, and Georgia to urge adoption of the 5% impost and to send a circular letter to all the states urging full compliance with this much needed revenue measure. The report was finally recommitted on January 27, 1786, to a

committee chaired by Monroe whose report was considered on February 3. See *JCC*, 28:8n, 66n.1, 159n, 162, 30:29n.1, 44–49; and PCC, item 186, fol. 174.

[5] See James Monroe to James Madison, December 18, note 6.

Walter Livingston to Robert Livingston

Hond. Sir New York Jany. 3. 1784 [i.e. 1785]

I returned to this place about a week since on the adjournment of Congress to meet here on the 11 Inst. Their coming to this city will enable me to attend my duty without any inconveniency.

We have agreed with the Agents for supporting the claims of the Massachusetts, on the Gentlemen who are to compose the Federal court, and I hope the inhabitants of this state will approve of the Judges we have appointed.

While I was at Philadelphia, contrary to my inclination I was put in nomination for one of the Commissioners of the Treasury, among a great number of applicants. On the ballots being taken Mr. Osgood and myself had each Six States, but as Seven states were necessary there was no election. The question remains undecided and three Commissioners will be appointed on the meeting of congress.[1] Before I left Trenton I resigned all my pretentions and declared I would not serve, my [reason] was because it would obliged me to leave my [fam]ily, but since Congress will reside for some years in this place, I shall reconsider the matter and advise with my friends. If I am appointed it will be necessary for me to give Security in the penalty of 14,000 Dollars, or pounds, I dont recollect which, in which case I must request to be informed whether you will become my Security, as it will be proper for me to be provided, before I resolve to accept, should I be again offered the services of my friends in Congress, which I cannot be sure of as I formally declined at Trenton and they may now be otherwise engaged. The Commissioners will be allowed 2500 Dollars each per Ann. clear of all charges, and the Duties of the office will be fully adequate to the reward.

Wishing you and Mama many returns [of] the Season I remain, your Affect. Son. Walter Livingston

[*P.S.*] Please to let me hear from you by the Post directed to me at No. 95 Broadway. Cornelia desires her affectionate love to you and Mama.

RC (NHpR: Livingston Papers deposit, 1973). Addressed: "Col. Robert Livingston, Manor Livingston."

[1] For Livingston's election on January 25 as one of three commissioners to constitute the new board of treasury, with John Lewis Gervais and Samuel Osgood, see *JCC*, 28:18.

Abiel Foster to Joseph Howell, Jr.

Sir[1] New York Jany. 10th. 1785

I enclose a Letter from his Excellency the President of New Hamshire, requesting you to return the same, with the fullest information on the subject of it, which Mr. Pierce's Office will afford.[2] Your compliance, as early as the nature of the business will admit, will much oblige

Yours &c. Abiel Foster

Tr (DNA: RG 93, vol. 136).

[1] Joseph Howell, Jr. (d. 1798), a former captain in the Pennsylvania Line, was deputy paymaster general at Philadelphia, and became commissioner of army accounts in 1788 following the death of Paymaster General John Pierce. Morris, *Papers* (Ferguson), 4:401.

[2] The enclosed December 16 letter from Pres. Meshech Weare reported "that a vast number of what is called Pierce's Notes . . . passing in this State are either forged or Alter'd." He went on to reproduce two of these numbered notes, "to find if such were issued," and asked Foster to report back his findings. RG 93, vol. 136:10–11. Howell's January 12 reply to Foster, explaining how the names had been altered on one of the notes submitted by Weare (substituting Henry Dearborn for David Adams), is at ibid., fol. 17.

Almost simultaneously the issue also came before Congress via a January 14 letter from the Continental comptroller, James Milligan, which was referred on the 20th to a committee consisting of Samuel Hardy, Samuel Holten, William Samuel Johnson, Jacob Read, and Hugh Williamson. A second letter from Milligan of January 20 with five enclosures documenting examples of forged or altered settlement certificates was referred on the 24th to the same committee, whose January 31 report led to the adoption of a February 2 proclamation offering a $500 reward for the discovery of the forger. See *JCC*, 28:12n, 15n, 25–26, 32–34, 29:915; and PCC, item 35, fols. 9–26. For the discovery in March of the identity of the culprits (apparently as a result of the proclamation), and the warnings issued to New Hampshire, Massachusetts, and Rhode Island against their work, see Charles Thomson to Certain States, March 28, 1785.

Thomas Stone to the Maryland Assembly

Gentlemen. Annapolis Jan. 11. 1785

The legality of arresting Captain Henry Carbery by a Warrant from a Committee of Congress having been questioned and I being a Member of the Committee and desirous that the General Assembly should be fully informed of the part I took in this and every other Measure while acting as their Delegate in Congress beg leave to submit the following State of facts relative to this Subject.[1] On the 16th of March last information was given to Congress as I understood, that Capt Carbery & Mr Sullivan were in a Vessell lying in the harbour of Annapolis in consequence of which upon the Motion of Mr Reed of South Carolina a Committee was appointed to take Measures for their arrest, upon enquiry it was found that the information given to Congress was erro-

neous. On the 23d of April Mr Reed who was of the Committee brought in a report stating to Congress that Capt. Carbery was in Baltimore Town and concluding with offering a Resolve requesting the Executive of Maryland to arrest him, I suggested the Propriety of transmitting the proof against Capt. Carbery which was in the possession of Congress to the Executive of Maryland, without which I was apprehensive the Executive might be under some difficulties in carrying into effect the request of Congress. It was thought this would take up some time—the Governor was out of Town and it was not known whether there were Members of the Council in town sufficient to make a board. Congress seemed very desirous that a Man who it was thought had a principal hand in causing them to remove from Philadelphia, should be immediately arrested and secured & after some debate on the Subject referred the Matter to the Committee to take order therein & I was added to the Committee in the place of Mr Lee who was absent. The Committee met after the adjournment of Congress, and determined to issue a Warrant to Mr Henry —— Gassaway to arrest Capt Carbery and bring him before a Judge of the General Court of this State to be dealt with according to Law in Consequence of which a Warrant was issued and signed by all the Committee—Copy of which is herewith sent, and Capt. Carbery was arrested and brought before the honorable Mr Goldsborough & the committee laid before him such proofs as were in possession of Congress, and made the report of their proceedings as stated in the printed proceedings of Congress of the 28 April herewith transmitted. What was done in Consequence of the Arrest and Proceeding of Congress is not for Me to say being altogether unconnected with the Point which I mean to submit to the Legislature. The several affidavits herewith sent—the knowledge of the fact by Members of Congress & some of the Committee—the Riot at Philadelphia and it's Consequences be notorious & public, were the Evidence upon which the Committee proceeded. The Principle upon which the Warrant was issued was that in Cases where Crimes of high and dangerous Nature had been committed and there was knowledge or proof of the Commission it was not only lawfull but the duty of every Citizen and body of Men independent of all possitive Authority to take the most effectual Measures for arresting the perpetrators and bringing them before the Constitutional Judiciary power for examination and Trial, and that if such a power could not be exercised, the assembly of the united States might at any time be broken up or destroyed before an adequate remedy could be applied. I believe it was not considered by any Member of the Committee of what State Capt Carbery claimed to be a Citizen but it was thought none could justly be offended by his being arrested & his Case submitted to a judicial determination according to the Law of the Land. The Committee called on Mr Gassaway to execute their

Warrant not merely because he had been a Military officer as has been very unjustly alledged but because he was thought to be a Gentleman who would conduct the business with strict propriety.

I have thus given the assembly a State of facts relating to this Affair which I should have done sooner but expected the Delegates would have been called on to give an Account of their Proceedings before one or both branc[h]es of the Legislature in the Course of which I intended to have stated and explained this Subject and to have submitted my Conduct therein to the determination of the Assembly, but apprehending there is no reason now to suppose the Delegates will be called before either house this Session I can no longer either consistently with my duty to the Assembly or my engagement to the public withold this Communication, which I hoped it would not have been necessary for Me to make before a determination on Capt Carbery's Case, as I have tho urged by Abuse in the public papers carefully avoided every measure, which might in any degree make an impression unfavourable to him, and I do not mean by this address any thing further than to give the General Assembly a State of facts necessary to be known previous to a determination upon my Conduct in the Case referred to. I state the Motion of the 16 of March from information & the report and resolve proposed the 23d of April from Memory. Neither of them appear on the Printed Journals of Congress & the Secretary to whom I wrote for every thing relative to this Subject sent Me only the Copies inclosed & a Copy of a Letter from Mr Carbery to Congress after he was arrested which having no relation to the question upon the legality of the Arrest I did not think necessary to inclose. I believe it is not the practice of Congress when Motions or reports are referred to take Order, to enter them on the Journals, & probably Mr Thomson could not readily find these papers after the removal from Annapolis. I have however consulted Mr. J. T. Chase who was in Congress with Me & recollects what passed on the 23d of April as I have stated it. Holding Myself responsible to the General Assembly for my Conduct in Congress I shall with chearfullness submit to their determination upon the part I acted in this Affair in which if I have erred I trust the Legislature will do Me the Justice to believe that I was not influenced by a Desire to injure or oppress an Individual, but was governed by principles which appeared to Me to be just in discharge of what I esteemed my Duty as a Citizen & Delegate of Maryland.[2]

I am Gent, Yr most Obt Sert, T. Stone

RC (MeHi: Fogg Collection). Addressed: "The Honorable President of the Senate & Speaker of the House of Delegates."

[1] For Stone's role in arresting Capt. Henry Carbery for his part in the Philadelphia mutiny of June 1783 and the jurisdictional dispute that developed between Maryland and Pennsylvania over Carbery's prosecution, see Committee of Congress to Henry Gassaway and to Mr. Clayton, April 24 and 28; Pennsylvania Delegates to John Dickinson, May 18; and Charles Thomson to Thomas Stone, October 5, 1784.

[2] The Maryland Assembly readily accepted this explanation of Stone's conduct, resolving unanimously on January 17 "That this house repose the highest confidence in the integrity, honour, and abilities, of Mr. Stone, and in his attachment and affection to the rights and liberties of the citizens of this state; and that on consideration of all the circumstances of the case, as communicated by Mr. Stone, this house do approve his conduct, and the part he acted as one of the said committee of congress." *Votes and Proceedings of the House of Delegates of the State of Maryland, November Session, 1784*, p. 108, DLC(ESR).

David Howell to William Greene

Sir, New York January 12, 1785.

As I arrived at Trenton before a Congress was formed I proceeded directly forward to Philadelphia & applied at the Office of the Paymaster-General for settlement of accounts in behalf of our State's short Levies, agreeably to order of Assembly. After putting this business in train, I returned to Trenton & took a seat in Congress on the first day of session.

A second journey to Philadelphia enabled me to compleat the settlement; & I transmitted, by the hands of Mr. John Innes Clark, the certificates I obtained, to the General Treasurer.

For want of materials to fill up a Letter, more than from any other cause, I have deferred writing to the present time. In justice to myself I must also hint at another cause. It has been suggested to me that my former communications to the State have been too lengthy—& carry the appearance of a wish to obtrude my own political *dogmas*. I shall only observe that I am justified in this line of Conduct by the Communications of our Foreign Ministers to Congress—& even by the communications of Congress to the States—in which may be seen not only a statement of facts, but opinions & reasonings, as well as Scraps of Letters from their Servants, with *their* opinions & arguments & even (so strong was their desire to illuminate) the opinions & reasonings of the Minister, a very respectable character, *of a Foreign Court*. As I well knew that my Letters were to be laid before men, who were not only tenacious of their rights but capable of understanding them, I have written with a frankness, which (at least in my humble opinion) the public has a right to expect from its Servants—and, to this day, I find no reason to retract, or alter any thing I have written in my official character.

If it is the character of a politician to conceal or, to deliver with reserve & cryptically his opinions—to keep a watchful eye on the tide of popular opinion—and in all events to aim chiefly at bringing off his own dear Self in a whole Skin, I thank God I am no politician!

From the time that it first pleased my fellow-citizens to raise me into the political World I have neglected no opportunity of rendring them the best services within the compass of my poor abilities, & of obtaining information of the Transactions on that great Theatre. I am now

soon to retire to my little cottage. I shall do it with a chearful mind & a clear conscience as to my official conduct: but not without great anxiety for the fate of my Country.

Avarice, ambition or the lust of power & all the baser passions are so much more active & prevalent than the virtues, with which they stand contrasted, that it is not strange to see the Government of this World commonly in the hands of the vilest men in it. "*There is,* says an excellent writer, *in every human Society an effort continually tending to confer on one part the height of power & happiness & to reduce the other to the extreme of weakness & misery,*" And whoever contemplates the different Kingdoms, Empires & States throughout the World, the nature of their governments, & the condition of the people will be affected, if capable of feeling, with the wretchedness of his fellowmen & will be constrained to drop a sympathetic tear over the ruins of human nature!

"*Ye Gods! What havoc does ambition make among your works?*"

The U. States furnish the World with a rare instance of Freedom—and a wise System of political Constitutions happily calculated to secure it. But alas! How restless are many of our rulers to engross more power? How easily are the people imposed upon & duped out of their rights? What artifice, what chicanery, what management have already taken place in our public affairs? I cannot, however, close this dull & gloomy letter without making one consolating remark—& in that I am warranted—that the seasonable & firm stand made by Rhode Island against the all grasping hand of power, in the case of duties, has saved the U. States! And I should be wanting, as well in duty to the State, as to my own feelings, if I should neglect to inform them that they have the thanks of thousands of the wisest & best men in the Union for their Conduct.

The Journals of our proceedings at Trenton are not yet printed. I hope the Ordinance, which has been published in the Newspapers, establishing the permanent residence of Congress near the falls of Delaware; & the temporary residence in this City will meet with the approbation of the State. Should the Commissioners to be appointed to erect the fœderal buildings make an advantageous purchase of Soil, the Sale of Lotts, it is expected, will reduce the Sum appropriated to that use.

As I voted against the resolution of Congress, which puts all the Letters received from our Foreign Ministers under an injunction of Secrecy,[1] by the yeas & nays, which, by the way, are not published in our journals, I have a right to offer that as an Apology to the State for not sending forward an account of the contents of such Letters as have been received since I left Congress last Summer. Such parts of them, however, as are thought necessary to answer certain purposes will be sent forward to the States—but under the strictest injunctions of Secrecy.

I pray your Excellency to be assured of my constant attention to the

interests of the State—And of the great respect & esteeme with which I have the honor to be, your Excellency's most obedient & very humble Servant, David Howell

RC (R–Ar: Letters to Governors).

[1] For the adoption of this May 3, 1784, resolution, which was opposed by only Howell and John Francis Mercer, see *JCC*, 26:331–32.

William Samuel Johnson's Diary

[January 13–15, 1785][1]

13th. Called upon Mrs Verplank—& Coll. Cook & went with him to wait on The Presidt. of Congress. Thence to the City Hall where Congress Assembled & enter'd upon Business. Sat till ½ after 2. Dined with Judge Hobart, Presidt. of Congress & his Secrety., Mr. Jay, The Chan[cello]r & Mr. Peter Livingston in Company. Eveng. at Lodgings. Biscuit & Raisons 12/. Stationa[r]y 8/. Exp[ense]s 2/ NY.

14th. Visited Mr. Ellison, Mrs. Verplank &c. At Congress. Rec'd Visits from Messrs. Provost, Beach, Duer, Ellison &c. Rest of the Day & Eveng. Examing. Journals of Congs. Expens. 8/.

15th. At Ludlow, Buchanans &c. Attendd Congress. Examing. Journs, Writing Letters &c. Lees Bill 8/. Cooks. Expens. 5/.

MS (NNC: Johnson Papers). In the hand of William Samuel Johnson.

[1] The 13-page booklet in which these entries are found contains "Memoranda for N. York, Trenton, Philadelphia &c" which Johnson recorded during three periods of public service: November 5, 1782-January 21, 1783; May 1784; and December 21, 1784 through July 1785. A similar 12-page booklet, covering the period August 23, 1785–April 26, 1787, but containing entries even briefer than those in the former, is in the Johnson Papers at CtHi.

Johnson was not actually a diarist, and the value of his daily "memoranda" requires little comment. His entries provide meager information for understanding his congressional career, but do shed light on his daily life as a delegate, his routines, and his circle of friends and acquaintances in New York.

The present entry is the sole extract that will appear in these *Letters*, although the remainder of Johnson's entries for January are included in this note to provide a better understanding of the document itself. By late March the entries become even more cryptic and thereafter are almost invariably confined to a single line, a practice he also continued throughout the 1785–87 booklet. Thereafter his remarks rarely consist of more than the simple comment "Visits at Congress" or "At Congress." They do, however, enable the reader to reconstruct the periods of his attendance more precisely than for most delegates, which for 1785 were as follows: January 13 to February 25; March 11 to May 4; May 19 to July 29; August 25 to October 21; and November 22 to December 30. The remainder of the "Jan 85" entries follow.

"16th. Sund[a]y at Ch[urc]h, heard Mr. Beach. Dined at Mrs. Verplanks with Dr Bard. In Eveng. Betsey, Verplanks, Templeton &c here. Expens. 8/.

"17th. Visited Mr. Moor &c. At Congress. Dined with W. Livingston. In Eveng. at home. Spectacs 11/. Sund[r]y Exps. 8/.

"18th. Visited Mr. Provoost, Dr. Romaine &c. At Congress. Mrs. Verplanks, Mr. Gerry's. Went with Mr. King to Mr. Croses Ball. Expens. 12/.

"19th. Coll. Ely here. At Mrs. Verplanks. Congress. Dined with The Marina Society. In Eveng. at Academy of Polite Arts. Watch 8/. Washing 12/.

"20th. Capt. Worlent here. On Commee. & at Congress. The rest of the Day at home writing. Coll. Cook here. Poste. & sund[r]y Expens. 8/9.

"21st. Woolcot here. At Congress. Writing & Readg. Raing. Expens. 6/8.

"22d. Visited Coll. Cook, McEvers, Watts, Beach, Duer, [Whersars?], Sayre &c. Recd Visits from Dr. Charlton, Mr. J. Livingston &c. Dined at Coll. Sears. A very large Compy. Bar. Stuben &c. Eveng. Reading &c. To Exps. 7/6.

"23d. Sundy. Unwell. At home. Rec'd many Visits. Sayre. Opium. Heada[che]. Cold. Exps. 4/6.

"24th. Mr. Ellison & others here. At Congress. Readg &c. Expens. 5/6. Paid Mrs. Miller [Cowards?] Board & Lodg. 6:10:6. Washing 9/.

"25th. Rain & Snow. Rec'd. Visits from Mr. Duane, Ferrars &c. At Congress. On Treasy. Business. Cutting Hair &c &c 4/10.

"26th. Fine Weather. At Comme.—Congress. Mrs. Verplanks. Visitd. Mr. Ellison. At Comme. Eveng. Examg. Journals. To Exps. 6/9.

"27. Went to Mr. Stuyvesants. At Congress. Commee. in Evening. After at Assembly. Horse & Chair 8/. Exps. 6/10.

"28d. Visitd. Jno. Livingston, Phil. Livingston, Dr Charlton & Mrs. Ver Plank. Dined at Duanes. Eveng. Writing &c. Exps. 5/4.

"29th. Snow. Rec'd Visits from Col. Monroe, Pinckney &c. Visited Coll. Floyd. LeHomedieu, Smith &c. Sta[tiona]ry Bill, Cloak. 2:6:0.

"30th At St. Pauls. Mr. Moor preachd. Call'd at Van Dams. Dined at Verplanks. Mr. Evers & G. Verplank there. Exps. 3/4.

"31st. Rec'd. Visit from Coll. Wadsworth. At Congress on Ambassadors. Dind with President. Eveng. Capt. Lamb here. To Expens. 4/3."

Abiel Foster to Meshech Weare

Sir. New York Janury. 14th. 1785.

I have the honr. to inform your Excellency of my safe arrival in this City on the seventh Instant,[1] where I joined my Honble. Colleague Mr. Long. He informed me, he had enclosed a Paper containing the resolution by which Congress stood adjourned from Trenton to this place.[1] This Sir will superceed the necessity of my being particular on this Head.

By the resolution you[r] Excellency will perceive Congress seem determined to erect buildings for their accommodation near Trenton, and in the mean time to reside in this City. If this object could be effected, it would doubtless be convenient; but I conceive a considerable time must elapse before it can be accomplished, especially when I consider that the Houses for the accommodation of the several Delegations must be built by their respective States.

If the late movement however, does but serve to fix Congress, untill the public Buildings are prepaired for its reception, it will be better



New York City Hall

than the late disposition of removing from place to place. The removal of [*the*] Presidents Houshold, and the Offices of Congress, must have taken some time; the recess was perhaps longer than was absolutely necessary for the purpose, but it was the Voice of seven states, and dissentients were obliged to acquiess in this, as well as in the Vote to adjourn from Trenton.

On the thirteenth Instant seven States attended at City-Hall, and proceeded to business. It is my earnest wish that attention, & diligence, may retrieve the time lost in the removal.

I have the honr. to be with great respect, Your Excellencys Most Obedt. Servt. Abiel Foster.

RC (MHi: Weare Papers).

[1] See Pierse Long to Weare, January 1, note. For discussion of conditions in post-war New York City and the political features that shaped the state's reception of Congress in 1785, see Sidney I. Pomerantz, *New York: An American City, 1783–1803,* 2d ed. (Port Washington, N.Y.: Ira J. Friedman, 1965), pp. 76–108.

Massachusetts Delegates to John Rutledge et al.

Sir, (Copy) New York, 14th. January, 1785.

We do ourselves the honor to enclose you the copy of a letter already forwarded on the subject of your appointment as one of the judges between Masstts. & N. York.[1]

This measure is adopted from an apprehension of a posible failure of the original communication.

We have only to add that Virginia being sentral to the Judges, we shall not fail to exert ourselves in Congress, that the event may be held in Williamsburgh in preference to any other place, & have not the least doubt that the measure will be adopted.[2]

We are, &c E. Gerry G. Partridge

S. Holten R. King[3]

Tr (M–Ar: Revolutionary War Letters). Addressed: "Honorable Mr. Rutledge, Mr. Wythe, Mr. Grayson, Mr. R. H. Harrison." Endorsed: "Copy of a Letter to the Members of the federal Court to try claim to lands West of Hudson River."

[1] See Massachusetts and New York Agents to James Monroe, December 28, 1784.

[2] For the January 21 adoption of Williamsburg, Va., as the site for convening this court, see *JCC,* 28:13.

[3] This letter was transmitted under cover of the following letter of this date to "Messrs. Saml & Robt. Purviance," merchants of Baltimore.

"Being desirous that the Letters inclosed should be forwarded without delay, we take the Liberty of Requesting you to deliver them into the post Office of your place, on the Rect. thereof, and to give us information that they are so far safe." Revolutionary War Letters, M–Ar.

Hugh Williamson to John Dickinson

Sir, New York January 14th. 1785.

Yesterday Congress received a Letter from the Governor of the State of Connecticut dated the 24th December 1784, inclosing a Resolve of the General Assembly of that State upon the Memorial of John Franklin and others Settlers and Claimers of Lands &c to which the right of Jurisdiction was lately in Contest between the States of Connecticut and Pennsylvania.[1]

The Memorialists bring Complaints against the Executive of the Citizens of Pennsylvania which are sufficiently pointed and bitter of which I shall not trouble you with a Copy as the Paper is pretty long and you may already have received such Copy from Governor Griswald. The Act of Assembly transmitted to Congress is in the following words

"Resolved by this Assembly that it is expedient for the Memorialists to pursue their Application to the Congress of the United States for a Trial of their Right of Soil and Possession agreeably to the ninth of the Articles of Confederation and that this State will countenance and patronize them in such Application and Tryal in order to obtain for them that Justice this State apprehends the Memorialists are entitled to. And the delegates from this State in Congress are directed to give them all necessary Assistance in the premises. And His Excellency the Governor is requested to address the Congress of the United States on the Subject of their Situation and Sufferings and also address a full State of their Claim &c to the State of Pennsylvania, remonstrating against the Barbarities and Cruelties exercised towards the Memorialists and request a Redress of their Grievances and a Restoration of their Rights, Properties and possessions under the protection of the Laws and Government of said State of Pennsylvania." The Letter from the Governor of the State of Connecticut and the inclosed papers are referred to a Committee of the whole House which is to set on Tuesday the twenty fourth instant.[2]

If there had been any Member present from the State of Pennsylvania it would have been their duty to inform Your Excellency of the Train in which this unpleasing but very serious Business is placed, and they would doubtless, in a more clear and pointed manner than I have been able to do it, have justified the State in shewing that her late Conduct on this very head is a full proof that she is by no means inattentive to the Cries of those who complain.

As You may probably wish to be represented in Congress when the Letter and other Papers from Connecticut are to be considered or

may at least wish that Congress be fully informed of the late as well as the former proceedings of the Executive and Legislative of Pennsylvania respecting those Susquehanna Claimants I have taken the liberty of giving You the above information as I cannot cease to feel myself interested in the Peace and Reputation of a State which gave me Birth.[3]

I have the honor to be with the utmost Regard Sir, Your most obedient and very humble Servant, Hugh Williamson.

Tr (PHarH: RG 27).

[1] Gov. Matthew Griswold's letter, the October 20 memorial of the Wyoming Valley settlers, and two copies of the entire resolve of the Connecticut assembly, part of which is quoted below, are in PCC, item 66, 2:276–79, 282–89. See also *Susquehannah Co. Papers*, 8:123–26, 139–41, 161n.2.

These latest submissions in the Yankee-Pennamite struggle in the Wyoming Valley followed the failure of Congress the preceding June to act on a committee recommendation to postpone the June 28 meeting of Connecticut and Pennsylvania agents for selecting judges to determine the private right of soil or to consider Zebulon Butler's May 7 petition concerning the harsh treatment of Connecticut settlers by Pennsylvania officials. See Committee of Congress Report, January 21; Roger Sherman to John Franklin, February 21; Sherman to Zebulon Butler, June 15; and Edward Hand to Catharine Hand, June 29, 1784, note 2.

[2] In fact, Tuesday the 25th, when the committee of the whole postponed further action on Griswold's letter. Not until August 19 did Congress set aside September 15 for further consideration.

For discussion of this Connecticut effort to secure a trial to determine private right of soil in the Wyoming Valley, which was apparently quickly reconsidered when it appeared that Pennsylvania was better prepared to present its case to Congress, in part because of Williamson's alert to Dickinson, see *Susquehannah Co. Papers*, 8:xxii-xxiv.

[3] For Dickinson's January 18 reply, see *Pa. Archives*, 1st ser. 10:397.

Abiel Foster to Meshech Weare

Sir. New York 15th January. 1785.

In the Letter of Yesterday which I had the honr. to address to your Excellency, I forgot to acknowlege the receipt of your favor of the sixteenth of Decemr. It did not come to hand untill my arrival in this place, and I imediately enclosed it to the Deputy Pay Master at Philadelphia,[1] requesting him to furnish me as early as possible with the information which you were pleased to desire: I shall forward it without loss of time on the receipt. I have the honr. to be with respect Your Excellencys Obedt Servt, Abiel Foster.

RC (MHi: Weare Papers).

[1] See Foster to Joseph Howell, January 10, note 2.

Pierse Long to John Sullivan

Dear General, New York Jany 15th. 1785

Your very agreeable favour of the 7th ulto. I received the morning I left Portsmo. Your expressions of Friendship contained therein, claim my warmest acknowledgments. The Honble. Mr. Foster—my worthy Colleague (who presents his respectful complimts.) informs me the Baron Stuben has not as yet made any applications to Congress—no doubt when that time comes his merit will have due weight with that Body. I have no doubt but ere this you are acquainted with the resolves of Congress to build a federal Town, and till that is compleated to hold their sessions in this City. Please to accept of the inclos'd tho' barren paper.

Conclude, With sentiments of Respect and Esteem, Sir, Your most Obt. Serv, Pierse Long

RC (MHi: Sullivan Papers).

William Samuel Johnson to Samuel William Johnson

My Dear Billy, New York Jany. 16th. 1785

I hardly know what to say in Answer to yrs. of the 14th. On the one hand your Health is of the last Importance—is indeed everything. If therefore there is not a good Prospect of your recovering that without a Voyage, & a probability of its being of service to you in that respect, there is no room to hesitate, you sho'd by all means go. On the other hand, it will be a great loss of business, & an extreme embarrassment to all our affairs for you to leave them in the situation they now are, & while am under the necessity of being absent from them: And what is of yet greater Importance that you sho'd loose this fine Opportunity of Initiating yourself in Business. An opportunity which may not easily be retrived. Yet all this is nothing if your health requires it. As things have turned out in respect to your & yr. Sisters health, I lament exceedingly my having accepted this Appointment to attend Congress, but I am now too far engaged to retreat, & we must e'en do the best we can in this embarrass'd situation. My Opinion therefore is at present, that you be making all the preparation you can for the Voyage, so that you may not fail of the Opportunity which now presents of going, if it be necessary, but if you find any favorable Alteration in your health (as God grant you may) that after all you omit it. The Mode you propose for providing for it, is the right one, to get Horses, Cattle &c from my Debtors, to whom you had best apply immediately & see what

they can engage for. I have not the highest Opinion of Benjamin, perhaps not so good as he Merits. If therefore the other Vessell be as good, & the Captain Clever, I sho'd prefer that. But make full enquiries upon the subject, for very much in every respect depends upon your Captain. Woosters being himself on Board would help much to secure you good treatment from him, as well as be Company for you. Write me particularly by the Stage or Posts, how you are in point of Health, & I will also if I have Opportunity advise further with Dr. Bard upon the subject, that I may be able to give a more decisive Judgment with respect to it.[1] Advise also if you please with Dr. Nicoll, but after all your own Judgment & feelings must deside, & God grant we may determine right, & do that which is best for you in every respect. I am happy that Nancy is so Comfortable. Heaven grant it may continue. With tenderest Love to her & all of you, I remain, Yr. most affectionate Father & Friend, Wm. Saml. Johnson

RC (CtHi: Johnson Papers).

[1] Johnson did indeed have an opportunity to consult with Dr. Bard "upon the subject," and returned to it again in letters to Billy of January 20 and 30, which are also in the Johnson Papers, CtHi. "With respect to your proposed Voyage," he wrote on the 20th, "I have since seen Dr Bard Junr. who also, after all, leaves the Question without an absolute determination. He says That your Case, in common with all Complaints of this Nature, sho'd be early attended to—that Voyaging & change of a colder, for a warmer, Climate have been found very useful in such Cases, but whether it sho'd be done immediately in your Case, was a Question of expediency which it was difficult absolutely to decide. It might be a very useful precaution, tho' not perhaps absolutely necessary. But, tho' he left it thus uncertain, he seemed to think it rather adviseable to go, in Case your hoarseness & other Symptoms continued in any considerable degree. And what better Opinion is it possible for me to give, as I have said in a former Letter, without seeing & conversing with you. It seems necessary therefore for me to leave it to you & your Mama to determine it with such Advice as you have upon the spot, upon considering your particular Symptoms & appearance at the time I have mentioned before, all the Objections there are against it, but believe I have already said, & I repeat it, they are nothing, & ought to have no manner of weight if your health requires you to go. Besides consider my dear Son, if I sho'd give a possitive opinion either way, without fuller means of Judging, than thus absent I can be possessd of, & it sho'd turn out Illy, & especially, if I sho'd determine against your going, & your Health which is so precious to me, sho'd not revive soon after having lost this opportunity, how extremely unhappy it would make me to have prevented in any degree a measure which might have been of utility to you. Consider therefore, I beseech you, for yourself, consult your own feelings, situation, & Inclinations (for if you have a strong Inclination to go, & think it would be beneficial to you, I would by no means prevent it, even if I tho't it less expedient than I think it may be) advise with all around you, & then determine for yourself; & be assured I shall not only cheerfully acquiessce in it, but believe you have determined right. It is an event which not only regards your present health, but which may give an entire new turn & stroke to yr. whole future life & business, which is an additional reason why it sho'd rather be eventually decided by you than by me. Having said all that occurs to me upon the subject, Whether you go or stay you have my Approbation, because I have no doubt you will decide agreeably to what appears best upon the whole, & I shall continually pray God to lead you to a right determination."

For Johnson's continued preoccupation with Billy's plans to take a trip to the West Indies for the improvement of his health, see Johnson to Samuel William Johnson, February 5, 1785.

Richard Henry Lee to George Washington

Dear Sir, New York Jany. 16. 1785

I had the honor of writing to you last by the post that left Trenton just before I quitted that place,[1] and I should not so soon have troubled you again, if it were not to furnish you with the very excellent pamphlet that accompanies this letter.[2] Doctor Price has lately sent over a few of those pamphlets to the President of Congress and left the disposal of them to him. I am very sure that I shall gratify the Doctors feelings as well as my own, when I request your acceptance of one of them.[3] We have no news here, except the account brought by the packet from England just arrived, and which is current in Town—that the war between the Emperor & Holland has certainly commenced. A small engagement, near Lille upon the Scheldt, has taken place in which a Dutch regiment is said to have lost 20 or 30 men. Prussia is said to have taken part with Holland, & the Empress of Russia with the Emperor. It is probable that this quarrel, if it proceeds, will embroil the greatest part of Europe. I hope Great Britain will find herself compelled to engage.

My best respects attend your Lady. I am dear Sir, with the truest esteem & regard sincerely yours, Richard Henry Lee

RC (DLC: Washington Papers).

[1] See Lee to Washington, December 26, 1784.

[2] That is, Dr. Richard Price's *Observations on the Importance of the American Revolution, and the Means of Making it a Benefit to the World* (London, 1784), which was reprinted in Boston, Philadelphia, and Charleston. Cf. Evans, *Am. Bibliography*, no. 19,937.

[3] Washington acknowledged receipt of Price's pamphlet in his letter to Lee of February 8. Washington, *Papers* (Abbot), Confederation Series, 2:330–33.

Samuel Hardy to Patrick Henry

Sir. New York 17. January 1785.

I do myself the honour to transmit to your Excellency the enclosed Copy of a Memorial from some of the Citizens of Virginia praying to be indulged with a seperate Government. It came enclosed in a letter from Arthur Campbell to the President of Congress who I suppose was the parent of the Scheme.[1]

In my last[2] I informed you of the re[moval] of Congress from Trenton to this place, [& the] passage of an ordinance establishing the temporary & permanent residence of that body.

With great respect I have the honour to be Your Excellencys Most Obedt. humble servant. S. Hardy

ENCLOSURE

To the honorable the Congress of the United States of America.

The Memorial of the Freemen inhabiting the Country Westward of the Allegany or Apalachian Mountain, and Southward of the Ouasioto, Humbly sheweth,

That having been made acquainted with several Resolves and other Acts of Congress respecting western territory, and having considered maturely the contents of the same, we are highly pleased with that equal respect for the liberties of the People which seems to influence the Councils of Congress. That nothing but a firm adherence to the principles of the Confederation, and a sacred regard to the rights of mankind, could produce the late Resolves for laying off new Independant States; thereby pointing out such effectual measures to prevent the encroachments of arbitrary power on the Asylums of freedom.

That we are happy to find so large a part of western territory already ceded to the United States for national purposes, and trust that every Obstacle will speedily be removed, for the completion of that business, by the individual States affected thereby That we are too much elated at the prospect before us, not to wish that we may speedily enjoy the advantages of such a Government as will be exercised over a convenient territory, not too small for the support of authority, nor too large for the security of freedom.

That our situation is such; inhabiting valleys, intermixed with and environed by vast wilds of barren and inaccessible mountains, that the same comprehension of latitude allotted to the new States, Northwest of the Ohio, might prevent us from ever being on an equal footing with our neighbours, blessed with so many natural advantages, navigable waters, and a level fertile Country.

That a State bounded by a Meridian line that will touch the confluence of Little River near Ingles Ferry, thence down the Kanhawa to the Ronceverte or Green Briar River; thence Southwest to Latitude 37° North, thence along the same to the meridian of the rapids of the Ohio, South along that meridian untill it touches the Tenesee or Cherokee river; down the same to the part nearest of latitude 34°, South to the same; and eastwardly on that parallel, to the top of the Apalachian mountains; and along the highest parts of the same, and the heights that divide the sources of the waters that fall into the Mississippi, from those that empty into the Atlantic to the Beginning. This tho' not equal in quantity of habitable lands, with the adjoining

States, yet may be sufficient territory for a Society that wishes to encourage industry and temperance as cardinal virtues.

That in our present settlements we have maintained our ground during the late perilous war, and frequently gave effectual aid to our brethren to the South and Eastward, that we are first occupants and Aborigines of this Country, freemen claiming natural rights and the privileges of American Citizens.

Our prayer therefore is, that your honorable Body, with a generous regard to the rights of mankind, would speedily erect the aforesaid described territory into a free and independent State, subject to the fœderal bond, and likewise confirm and guarantee to its inhabitants all their equitable rights and privileges acquired under the laws of the States lately claiming this territory; that the disposition of the vacant lands be under the power of the legislature of the new State in as full a manner as that exercised by such of the Eastern States having unappropriated lands, with this reservation, that the monies arising from the sale of vacant lands shall be faithfully paid to the order of Congress, towards the payment of the national debt.

And your Memorialists shall ever pray, &c.

Approved and subscribed by us in behalf of ourselves and the freemen of our respective districts whom we represent.

Chas. Cummins, Chairman		Thomas Woolsey
John Campbell		John Campbell Senr.
John Jameson		Richard Brownlow
Robt. Buchanan		John Davis
Alexr. Wiley	Committeemen	Matthew Willoughby
Wm. Tate		Gilbert Christian
George Finley		John Anderson
John Kincaid		David Looney
Arthur Campbell		John Adair

RC (Vi: Continental Congress Papers). Enclosure (DNA: PCC, item 48). Endorsed: "A Copy or Duplicate." This text is reproduced from the copy of the memorial actually received by Congress rather than the copy transcribed for Henry which is in the Continental Congress Papers, Vi.

[1] Campbell's letter to Congress of November 18, 1784, had been enclosed in a "Packet" sent to Samuel Purviance in Baltimore who then forwarded it to Richard Henry Lee under separate cover on December 20. Although Gaillard Hunt had speculated that Campbell's letter had been read in Congress on December 10 "or an approximate date," the editor of the succeeding volume of the journals, John C. Fitzpatrick, correctly noted that Purviance's letter and its enclosures were read on January 13. See *JCC*, 27:680n, 28:4n. These included Campbell's letter warning of impending warfare with the Cherokee Indians and a memorial (see enclosure) appealing for statehood for the Virginia settlers in Washington County around Cumberland Gap in conjunction with the North Carolina inhabitants of the valley of the upper Tennessee (the nascent state of Franklin). See PCC, item 48, fols. 273–84. Congress took no action on the memorial having received the preceding month at Trenton North Carolina's revocation of its western land cession of June 1784, for which see Richard Dobbs Spaight to

Alexander Martin, December 18, 1784, note 1. See also Spaight to Richard Caswell, June 5, 1785. Gov. Henry, however, submitted the memorial to the Virginia assembly on October 17, 1785, warning of the threat to Virginia's frontier if the citizens of Washington County were permitted "to break off from this commonwealth, and attach themselves to the newly-assumed government" of Franklin which itself threatened "to destroy the peace of North Carolina." The assembly promptly enacted a law making it high treason to erect an independent government within Virginia territory except by act of assembly and empowering the governor to call out the militia to suppress any such effort. See Henry, *Patrick Henry,* 3:326–27; and Hening, *Statutes,* 12:41–42. For Arthur Campbell's involvement in the separatist movement along the western frontier, see Samuel C. Williams, *History of the Lost State of Franklin,* rev. ed. (New York: Press of the Pioneers, 1933), pp. 5–12, 32–33, 45–55; Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779–1792* (New York: Atheneum; Published for the Institute of Early American History and Culture at Williamsburg, Virginia, 1972), pp. 47–50, 60–63, 68, 77–78, 98, 121–22; and Peter S. Onuf, *The Origins of the Federal Republic: Jurisdictional Controversies in the United States, 1775–1787* (Philadelphia: University of Pennsylvania Press, 1983), pp. 34–35, 38–39, 155–56.

[2] Not found.

Walter Livingston to Robert Livingston

Hond. Sir New York Jany. 18. 85

On Thursday last Congress made a House and have proceeded to business, the gentlemen seem to be well pleased with the reception they have met with since they have been here.

There is no news except such as is contained in the papers which I have given to brother Henry. War between the Emperor and Holland seems inevitable and will involve almost all Europe. I wrote you by Jack to know if you have any objection to become my Security provided I accept of an offer from the Public of a Place mentioned in that letter.[1] Cornelia joins me in love to Mama and Yourself. Your affece. Son. Walter Livingston

RC (NHpH: Livingston Papers deposit, 1973).

[1] See Livingston to Robert Livingston, January 3.

Joseph Gardner to John Dickinson

Sir New York Jany 19th 1785

Herewith I have the Honor to inclose to your Excellency a Copy of three papers presented by the Delegates of Connecticut to Congress tending to revive the Old dispute between the two States.[1] I did not arrive here till Saturday afternoon consequently had it not in my power to transmit Copies earlier—it will be impossible for Council to forward such papers and information upon that subject before the day it is ordered for consideration in a committee of the whole which you'll

observe by the indorsement—but suppose it will not be attended with difficulty to get it Postponed Untill the papers can be received. I hope your Excellency and the Council will see the necessity of forwarding all the information in your power upon this subject since the decree at Trenton as soon as possible.

Mr. Henry is not yet arrived—shou'd he not have left Philada Council will have it in their Power to avail themselves of giving him every Verbal information and of a safe conveyance by him.

I have the Honor to be, your Excellencys and Councils Very humble Servt, Jos. Gardner

RC (PHi: Gratz Collection).

[1] For the transmittal of these documents to President Dickinson by North Carolina delegate Hugh Williamson (a native Pennsylvanian) because Pennsylvania was unrepresented when they were presented to Congress, see Williamson to Dickinson, January 14.

Charles Thomson's Memorandum Book

[January 19–29, 1785]

1785 New York

Janu 19th. Sent to the Mayor of this City—Copy of Resolve of Congress of 18th Inst. accepting of the City Hall for the holding their sessions &c.[1]

20th. Sent to Mr. Provost his Appo[intmen]t as Chaplain to Congress.[2]

24th. Sent to the President to be forwarded 13 Copies of resolve of 20 Inst. covering[3]—each a Copy of Mr Adams's Letter of 3d Novemr. 1784 & Extract of joint Letter from our Ministers in Europe directed by s[ai]d Resolution to be sent to the several States under injunctions of secresy.

Sent to the Agents for Massachusetts & New York—Notification that Williamsburgh in the Commonwealth of Virginia in the place appointed by Congress for holding the Court for determining the Controversy between sd. States.[4]

26th. Sent to Mr John Lewis Gervais, Mr Samuel Osgood & Mr Walter Livingston each, a Copy of their Appointt. as Commissioners of the Board of Treasury—covering Copy of the Ordinance for putting the Department of Finance into Commission.[5]

27th. Sent to the Secretary in the War Office, Copy of Resolve of 26th Inst. directing Continenl. Treasurer to furnish P. Audibert D. Paymaster with 359 12/90 Dollars being the Amot. of subsis[tenc]e to Officers in service for the month of Janu.[6]

Deliver'd Mr. King Copy of Memorial of Agents of New York objecting to Williamsburgh as a place proper for holding the Court for determining the Contro[vers]y between sd. State & Massachusetts.[7]

The injunction of secrecy removed from so much of the joint Letter of 11th November from Messrs. Adams, Franklin & Jefferson as relates to the negotiations respecting bona fide debts—So that the Delegates may send Extracts to the Legislatures of their respective States—Jany. 27. 1785—motion Mr King.[8]

28th. Sent to Mr. James Milligan Comptroller of Accots.

A Memorial of Giles Wolcott with the papers accompanying the same and Copy of the resolution directing them to be forwarded.[9]

29. Delivered Mr Monroe four Copies of a report of a Committee under consideration in the whole 23 pages.[10]

Sent to Mr Charles Hellstedt Swedish Consul—12 Notifications to the States of his Appt as Consul for Sweden to reside at Philaa.[11]

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson. A continuation of Thomson's Memorandum Book, December 6–24, 1784.

[1] See *JCC*, 28:7–9.

[2] Ibid., p. 11.

[3] See Richard Henry Lee to the States, January 24, note.

[4] For this January 21 decision, see *JCC*, 28:13.

[5] See *JCC*, 27:469–71, 28:18.

[6] Ibid., p. 19.

[7] This January 26 memorial to Congress is in PCC, item 67, 2:515–18.

[8] Thomson did not enter this motion on the journals, but it may have been the subject at issue when Congress adopted a new rule on the 27th and resolved "That whenever a question shall be depending between a larger and a smaller sum, a longer or a shorter time, the question shall first be put upon the largest sum and the longest time." See *JCC*, 28:23n.1. For the congressional rules in effect at this time, and their somewhat chaotic evolution, see *JCC*, 20:476–82, 22:75–76, 24:98, 109, 131, 344, 28:38; and these *Letters*, 19:402n.3, 713n.3, 762n.4.

[9] Wolcott's January 19 memorial is in PCC, item 41, 10:609–11. For the enclosed resolution, see *JCC*, 28:24.

[10] Not identified.

[11] See Thomson's Memorandum Book, December 6–24, note 1.

Richard Henry Lee to Pieter Johan Van Berckel

Sir, New York, January 20, 1785.

I have the honour to send your excellency two letters that came under cover from France.[1] 'Tis with pleasure I learn from Mr. Adams, that it is probable the negotiations of this winter may prevent the progress of hostilities in the spring, between the United Netherlands, and the emperor. And also that the spirits of your countrymen suffer no dejection, but that on the contrary, they are with much diligence and wisdom composing party quarrels, and preparing for the defence of the republic. Be so good as to present my compliments to your son,

and be assured that I am, with every sentiment of esteem and regard sir, your excellency's most obedient servant,

Richard Henry Lee.

MS not found; reprinted from Richard H. Lee, *Memoir of the Life of Richard Henry Lee and His Correspondence. . . ,* 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:55.

[1] Undoubtedly letters from C.W.F. Dumas to Congress of October 8 and 12, 1784, which were enclosed in an October 20 letter from John Adams that was received this day. See *Diplomatic Correspondence, 1783–89,* 1:465–66, 3:519–24; and PCC, item 185, fol. 110.

Richard Henry Lee to Thomas Lee Shippen

N. York 20th Jany. 1785. Thanks his nephew for clothing that Shippen's tailor had made for him,[1] and complains of some loss in the sale of his horses. "I have not yet got into my House,[2] but I have hired a very spacious and elegant one, where I shall be very happy to see you & your worthy father. The people here are very hospitable and kind I assure you. If it is in my power to serve your friend Cutting,[3] I will do it with much pleasure upon your knowledge and opinion of him."

RC (DLC: Shippen Family Papers). Lee, *Letters* (Ballagh), 2:324–25.

[1] In a letter to Shippen of January 17, Lee had observed that "Mr. Barthold has by this time I suppose rigged me out in such a manner as to convert the old President into a young Beau. Very well, if for the good of my Country I must be a Beau, why I will be a Beau." Ibid., pp. 322–23.

[2] In his January 17 letter Lee had also informed Shippen that he had "hired Mrs. Franklins house. . . . It is a very elegant House, and provided with every accommodation." The house belonged to the widow of New York merchant Walter Franklin, Maria Bowen Franklin, who married Samuel Osgood the following spring. The Osgoods later rented the house to Washington when he became President. *DAB.*

[3] See Lee to William Shippen, February 7, note 1.

Charles Thomson to John Dickinson

Dear Sir, New York Jany 20. 1785

I received yesterday your letter of the 14 with the reply to the message of the general Assembly.[1] I am well pleased with the reply, as far as it is directed against the Measure in general, which I consider as unwise & impolitic as it tends to sap the foundation of the federal government to bring upon the state a load of public debt beyond its proportion, and at the same time expose it to loss of public character and a charge of ingratitude, selfishness & want of faith & national honor, in confining its views to its own citizens without any regard to the engagements, stipulations & solemn contracts & treaties entered into by

its delegates in the Congress of the United States. What will France & Holland think of our national faith, our honor or our gratitude, or what will the other nations of Europe think of them, if they see the states attending solely to their own citizens without paying any regard to those who generously stepped in to our relief, succoured us in the hour of extreme distress & rescued us from impending ruin? & will not this be the case in every state if Pensylvania sets the example? England represents us as a rope of sand & delays to comply with her engagements in the definitive treaty and to evacuate the posts she holds within our territory which were to be given up with all Convenient speed. France, which on the Eve of being involved in Another War, is jealous that we mean to leave her embarrassed not only with the advances she made to us herself but with the engagements she entered into to procure us pecuniary aid, when her own finances would not admit of further supplies. The individuals in Holland that trusted our faith & honor pledged are now looking with anxious expectation for a compliance with the engagements entered into. The other nations in Europe are waiting to form an opinion of our public character by the evidences we shall give of national honor, faithfulness and gratitude not merely to our own citizens but to the Nations with whom we have contracted engagements & more especially to whom they are under obligations. And how short sighted a politician must he be who does not see of what importance it is to establish a good character & reputation among the other nations of the earth? The loss of this oftimes occasions oceans of blood & millions of treasure. But you will in a few days have some important communications from Congress which will I hope engage the attention of the Assembly and induce them and every other legislature in the Union to pursue different measures from those they seem to be disposed to do at present. If they do not produce this effect, I must confess the hopes I have entertained of our future happiness & prosperity will be greatly dashed, & we may learn to our cost of how much importance it is to maintain national faith & honor. I have not time to examine the reply with a critical eye and give you any farther thoughts on it nor even to copy this, as you desire to have it returned by the 25. You will therefore excuse this scral & these loose thoughts. Please to present my Love & respects to cousin Dickinson & Sally, & be assured of the affection and esteem with which I am, Dear Sir, Your obedt. humble Serv,

Cha Thomson

RC (PPL: Logan-Dickinson Collection).

[1] The Pennsylvania Assembly's December 24 "message" to President Dickinson and the council is in *Pa. Archives*, 1st ser. 10:379–84. For Dickinson's reply to this fiscal policy statement, which he did not deliver until the opening of the new session of the Assembly on February 1, see *Pa. Council Minutes*, 14:328–42.

Richard Henry Lee to the States

Sir Circular New York Jany 21st. 1785

I have the honor to enclose to your Excellency some late communications from the Ministers plenipotentiary of these United States at Paris, together with an Act of Congress on that subject.[1] Much inconvenience to the American Ministers abroad, being apprehended from improper publications of their letters, hath induced Congress to desire that these informations may be kept from the public eye. The precarious state of our public credit abroad is so powerfully expressed in these letters, as to render a comment unnecessary. They prove incontestably, the necessity of immediate, vigorous measures for supplying the Treasury of the United States, that justice may be punctually done to those excellent friends who assisted us in the day of our distress. Your enlightned Legislature Sir will see the close connection that subsists between National safety and National faith—that the loss of the latter will ever have the most malignant effects upon the former.

The Congress request that your Excellency will lay these communications before the General Assembly of your State, with the Act of Congress respecting them.

I have the honor to be with sentiments of the truest esteem & regard, Sir your Excellencies most obedient and very humble servant

R. H. Lee, P.

FC (ViMtvL). In the hand of Richard Henry Lee. Endorsed: "Copy of circular Letter, New York Jany 21st 1785. recorded."

[1] The enclosed January 20 "Act" directed the distribution to the states of two recently received foreign dispatches concerning the payment of interest on the foreign debt of the United States. These "late communications" consisted of a November 3 letter from John Adams summarizing the United States' interest obligations and the precariousness of the nation's public credit in Europe, and a November 11 letter from Adams, Benjamin Franklin, and Thomas Jefferson reporting the "uneasiness" of the French court at the prospect of a default of interest payments on Dutch loans to the United States originally guaranteed by France. See *JCC*, 28:11n, 12; PCC, item 84, 5:351–54, item 86, fols. 49–57; and *Diplomatic Correspondence, 1783–89*, 1:467–68, 537–38.

Rufus King's Proposed Letter to Congress

New York 22d Jany. 1785

To the president of congress

This certifies that the first Tuesday of June next by agreement between the agents of Massachusetts & New York is the Time fixed for holding the federal Court to determine the subsisting controversy between those States.[1]

And it was farther agreed by the said Agents that if either of the commissioners, who were first chosen to constitute the federal Court should not within Two months next after congress shall have appointed a place for holding the said court, declare his acceptance of the said Trust he shall be considered as not accepting thereof.

R King { One of the Agents of Massachusetts } One of the Agents of New York

FC (NHi: James Duane Papers). In the hand of Rufus King. Endorsed by Duane: "Mr Kings draft of Applic. to Congress to appoint a Time for the hearing between New York & the Massachusetts."

[1] Although the Massachusetts and New York agents had agreed as early as December 28 on "the first Tuesday of June next" as the date for convening the court for hearing the dispute between the two states, this date had never been certified to Congress. Furthermore, once Congress on January 21 selected Williamsburg for the site of the trial, the New York agents almost immediately objected and began to obstruct the process of notifying the judges agreed upon December 24.

King drafted and signed the present letter of certification and handed it on to John Jay for signature this day, but Jay hesitated and decided to confer with Walter Livingston and James Duane before proceeding, leaving King's letter with Duane, for which see King to Jay, January 24, note. For the background and context of this increasingly tangled episode, see New York Agents' Journal, December 4–9; and Massachusetts and New York Agents to James Monroe, December 28, 1784.

Connecticut Delegates to Matthew Griswold

Sir[1] New York January 24th 1785.

We arrived here on the 12th instant, and the next Day Congress entered upon Business and have continued their Deliberations as usual. For some Days indeed there were only seven States represented, & consequently only lesser matters could be taken up, but Additions to the Body have been continually making, and there are now nine States represented, and one Delegate from three of the other four. Other Gentlemen are daily expected, so that there is reason to hope there will very soon be a full Congress. The immense Quantity, Variety, & Magnitude of the Business which lies before Congress renders it necessary that as complete a Representation as possible should be obtained and continued. Hitherto there appear on all sides & in every Body here, good Dispositions to enter into the Consideration & Discussion of public Affairs with Diligence, Zeal, and Integrity, yet none of the Ardua Regni, such as Revenue, Western Territory &c. have hitherto been taken up not from any direct Reluctance in any one to engage in them, but that on account of their extreme weight & difficulty, every one seems to hope by longer Reflection & Consideration of these very important Subjects to come to the Discussion & Determination of them with yet greater Strength & Furniture of Mind: they will

not however, we imagine, be much longer postponed—indeed they must not. Upon the former all-important Subject your Excellency already has, or very soon will receive some very stricking Communications from his Excellency the President,[2] upon which it is equally unnecessary and improper for us to make any Remarks.

In Consequence of your Excellencys Representations in behalf of the Wyoming Sufferers an early day has been assigned to take up that Subject in a committee of the whole House:[3] but no Agent from those People having appeared here (though it seems one was prematurely present at Trenton) nor any of the Papers arrived, it will be necessary for us, if possible, to have it postponed, as it will be impossible for us, unfurnished as we are with either Evidence or Exhibits to present it in a proper manner to the Committee, or execute in any effectual manner, the trust reposed in us by the Act of Assembly in favour of those People. Pensylvania will, we find, contend, & that warmly too, that they have done their Duty & more than their Duty, towards them; and that it is owing to their own Negligence, Tergiversation, or Obstinacy, that they have not long since had a complete redress of all their Grievances. Indeed that it is intirely their own fault that they ever suffered any; but how this Matter will appear upon Investigation we know not.

The Act of Assembly impowering Congress to impose the five Per Cent Duty in Consequence of the Assent of twelve States to the Measure should we conceive, be forwarded, if it be not already done; as it will, no doubt, be of material Use when that Subject is taken up. Great hopes are given us that the State of Georgia will soon accede to the Measure; and the like is expected from the Assembly of New York who are now convening.

We have the Honor to be with great Respect and Esteem, Your Excellency's most obedient & most humble Servants.

Joseph P Cooke

Wm. Saml. Johnson

RC (CtY: William Griswold Lane Collection). Written by Cooke and signed by Cooke and Johnson. Addressed: "His Excellency Governor Griswold." FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] Matthew Griswold (1714–99), Yale College graduate and Lyme, Conn., lawyer, had succeeded Jonathan Trumbull, Sr., as governor of Connecticut in 1784. *DAB*.

[2] See Richard Henry Lee to the States, January 21.

[3] See Hugh Williamson to John Dickinson, January 14, note 1.

Samuel Holten to Thomas Cushing

Dear Sir. New York 24th. January, 1785.

I have recd. the letter you did me the honor to write the 12th instant; the sudden determination of Congress to remove to this City

was disagreeable to me & had my hearty negative, but it was not so to my honorable Colleagues, in particular, Mr. Gerry who moved the resolutions first, that was afterwards considered as an ordinance, & passed upon the same day,[1] so that you will perceive that the rules of Congress respecting reading ordinances, were dispensed with to get the favourite resolutions passed; I was of opinion at that time, that if they did not pass that day, they never would, & I have been confirmed in that opinion since, & am happy now to find, I am not alone in sentiments of the matter: great attention is paid to the members of Congress by the people here, & personally I am very happy on that account, but has it not been said by some persons that a large City was not a proper place for such a body as Congress to sit in, & if they were right, will this polite people have no influence upon our public Councils, but in answer to this, the Fœderal town is to be built immediately, but I say where is the money, for 100,000 dollars is but a small sum toward such a piece of business, if we could command that, but I conclude. The post that carries this will bring you officially, the distressed state of our finances in Europe, however, here we are, & I hope the public business will not now be delayed, & that all will turn out for the best.

I wish it was in my power to give you all the information you desire, respecting appropriating the residue of the requisition for 8,000,000 of dollars, & paying the interest on Mr. Pierce's certificates, but as the whole business of our finances are under consideration of Com[mitte]es of Congress, I can't as yet, form a judgment what Congress will do, upon the subjects.

I have the honor of enclosing, a copy, of a letter from Mr. Pennell to Mr. Partridge, respecting his coming to Boston, to which I must ask leave to refer you. The agents from Masstts. & New York agreed that Congress should determine the place for holding the fœderal Court, by a majority of the states then present in Congress, & accordingly on Friday last they determined in favor of Williamsburgh in Virginia, agreeably to our nomination.[3]

I have, with the greatest respect, the honor to be your most obedient servant

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] For these December 23 proceedings, see *JCC*, 27:699–704.

[2] See *JCC*, 28:13.

Samuel Holten to Jethro Putnam

Dear Mr. Putnam[1] New York, 24th Jany, 1785

I have been favored with your dutiful address of the 13th of Decembr. and it gave me sensible pleasure to hear of your welfare.

You mention my keeping in my hands £30. of Shelden's interest; I think it is likely upon my return that I shall owe him more than that sum, but it will then be with him, to receive the money of me, & do with it what he pleases, but you may be assured if you can procure an order from him, on me, it would be agreeable to pay the money to you.

How Mr. Shelden conducts his affairs when at home, I am not able to say, but if I was to form a judgment, from his proceedings while with me,[2] I should conclude he would make money at home, as I am sure he makes it here; I do suspect, by what I hear, that some of his creditors have unreasonably attached his interest, yet, I have reason to think that he will convince them upon his return, that he is able to pay his debts, & go on with business, notwithstanding what they have done or can do.

It gives me concern for your friend Mr. Hartwell, and I have wrote to Colo Putnam[3] fully upon the subject, to which I must refer you.

By what you mention I suppose before this comes to hand you will have removed Polly, & as it must be hard for Mrs Holten to part with her; I therefore have to request, that you will return with her to my house as often as you can with convenience. I have to request your attention to the notes I left with you against Mr. Whipple's estate; some time since I wrote to Colo Hutchinson[4] fully upon the subject & desired him to converse with you, if he has not, I request that you would immediately wait upon him & take his advise, and you must object against the estate being distributed among the creditors before the notes are paid, & if the Wido. or the person that acts for her will not settle it, you must wait upon the Judge of Probate, & desire him not to distribute the estate before I am paid, if the Judge should want evidence that the notes were given for taxes to hire a soldier. Mr. Kettell & Mr. Tapley are well knowing to the affair, & the notes will appear to be for the same sum he was taxed in the class, as I never had any other dealings with the deceas'd.

You will mention to Mrs. Holten that my health is better than when I wrote to her last; and make my kindest love to Polly. Yours with parental affection,

P.S. Since writing the foregoing I have recd. Mrs. Holten's Letter (No. 3) dated 15th of January in eight days after the date, & I will notice it to her by the next post. Yours as before

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Putnam was a resident of Danvers, Mass., Holten's home town. Harriet S. Tapley, *Chronicles of Danvers (Old Salem Village), Massachusetts, 1632–1923* (Danvers: Danvers Historical Society, 1923), pp. 55, 73, 111.

[2] Jeremiah Sheldon had been Holten's personal servant during his 1778–1780 term in Congress. See these *Letters*, 15:311n.

[3] Not found.

[4] Not found.

Rufus King to John Jay

Monday morning, 24th Jany. 1785

Mr. King presents his compliments to the hon'ble Mr. Jay & informs him, that he has this morning a note from the president of Congress[1] requesting the information contained in the Certificate now with Mr. Jay, which Mr. King signed on Saturday in behalf of the Massachusetts Agents.[2] If Mr. Jay signs that certificate or any other to that purpose this morning[3]—Mr. President wd. have it in his power to forward the Letters of notification to the commissioners by this day's post.[4]

RC (NHi: James Duane Papers).

[1] Not found.

[2] For "the certificate now with Mr. Jay," which Jay subsequently left with James Duane, see Rufus King's Proposed Letter to Congress, January 22.

[3] Jay balked at signing King's "certificate" and sent him this day ("At Mrs. Mercer's King Street") the following note of explanation. "It will be necessary for the New York Agents to have a meeting before any steps can be taken by either of them respecting the Business mentioned in your note of this Morning. I will immediately after Breakfast call upon Messrs. Duane and Livingston, and inform you of the Result without Delay." Duane Papers, NHi.

[4] See the following entry.

Richard Henry Lee to John Rutledge

Sir, New York Jany 24th 1785

I have the honor to enclose you an Act of Congress for forming a fœderal Court to determine a controversy, respecting territory, that subsi[s]ts between the States of Massachusets and New York.[1] The future concord and happiness of the United States depends so eminently upon the wise and early settlement of such disputes that both Congress and the Parties will be well pleased to find this court a full one, by the acceptance of all the Judges appointed to form it.[2]

I have the honor to be with the highest esteem and regard, Sir, Your Most Obedient and very humble Servant,

Richard Henry Lee

LB (DNA: PCC, item 16). Addressed: "The Honorable John Rutledge Esqr."

[1] For this December 24 "Act," see *JCC*, 27:709–10. For the context in which this letter was sent, see Massachusetts and New York Agents to James Monroe, December 28, 1784.

[2] For Rutledge's March 26 response declining this appointment, see *JCC*, 28:351–52; and PCC, item 78, 19:479–82.

Massachusetts Delegates to William Paterson

Sir. New York Jany 24th 1785

We do ourselves the honor to inclose you the Copy of a Letter already forwarded,[1] on the subject of your appointment as one of the Judges between the states of Massachusetts and New York.

This measure is adopted from an apprehension of a possible failure of the original Communications.[2]

We have only to add that Virginia being central to the Judges we shall not fail to move in Congress that Williamsburg may be the place for holding the Court and doubt not but the measure will be adopted.[3]

We have the honor to be with sentiments of Esteem your most obedient Humble Servants,

E Gerry Geo. Partridge } Delegates
S. Holten R. King } from Masstts.

RC (PP: Carson Collection). Written by George Partridge and signed by Elbridge Gerry, Samuel Holten, Rufus King, and Partridge.

[1] See Massachusetts and New York Agents to James Monroe, December 28, 1784.

[2] For the Massachusetts delegates' efforts to ensure the convening of this trial against a failure of communications, see also Massachusetts Delegates to John Rutledge, et al., January 14, and to John Hancock, February 7, 1785.

[3] This matter had been moved and adopted on January 21, but the New York agents had already decided to oppose the choice of Williamsburg as "the place for holding the Court" and were at this time delaying certification of the time for the trial agreed upon in December. See Rufus King's Proposed Letter to Congress, January 22; and New York Agents' Memorial, January 26, 1785.

For Paterson's March 26 acceptance of this appointment, see *JCC*, 28:211; and PCC, item 49, fols. 277–80.

Charles Thomson to Mordecai Hale

Sir, Secys. Office Jany. 24th. 1785.

I have it in charge to inform you "that the Act of Congress of the 26th August 1776, having made provision for such Officers and Soldiers as may be wounded or disabled in the service of the United States—Your application should be to the Legislature of the State of which you are a Citizen as through that channel the benefit accruing under the Act are to be obtained."[1] For this purpose I enclose back your Memorial and, am, Sir, Your most obedient & most humble Servt. C.T.

LB (DNA: PCC, item 18A).

[1] For this decision on the "application" of Hale, "late Surgeon's Mate in Col. Lamb's Regiment of Artillery," see *JCC*, 28:15–16. For the renewal of his appeal to Congress in May, see ibid., pp. 361n, 366.

Lambert Cadwalader to Benjamin Rush

Dear Doctor, N York Jany 25. [17]85.

I have had the Pleasure of your Favor of the 16th Inst. respecting a Petition to Congress for the Use of the public Buildings at Carlisle for the Accomodation of the Masters & Scholars of the College at that Place, and in Answer have only to say that, the Petition was this Day preferr'd to Congress and committed in Order to a Report, wh. I'm in Hopes will be favorable from what I could observe of the Temper of the House.[1]

Congress have just appointed Mr Gervais, of S Carolina, Mr Osgood of Massachusetts & Mr Walter Livingston Commissioners of the Treasury.

I am credibly informed by a Gentleman of Reputation from the Eastward that the Opposition to the 5 per Ct Impost is at an End in Rhode Island, and it is expected that Orders will soon come to the R. Island Delegates to accede; of wh. I most heartily give you Joy—but as I mean this latter Piece of Intelligence for your own private Information I must request the Favor of you not to mention it, till you hear it by another Channel.

Poor Reed is really in a Situation to be *pitied*[2]—I sincerely forgive and wish him a quiet Journey to "that Country from whose Bourn no Traveller returns."

I am Dr Sir, Your most obedt Servt, Lamb. Cadwalader

RC (PPL: Rush Papers).

[1] Rush's "Favor of the 16th Inst." had undoubtedly accompanied the January 16 petition of the trustees of Dickinson College, written and signed by Rush, and described here by Cadwalader. For Congress' response to the petition, see David Howell to Rush, January 28, 1785.

[2] That is, former Pennsylvania president Joseph Reed, who died March 5.

Charles Pinckney to Benjamin Guerard

Sir, New-York January 24th [*i.e.* 25th], 1785[1]

This will accompany a letter from the delegation containing such communications as we thought it our duty to make subsequent to the writing of which, an election has this morning taken place for Commissioners of the treasury and department of finance, at the head of which, Congress at our instance, have placed John Lewis Gervais Esquire.

As the importance of this department will call for the immediate presence and service of the gentlemen who are appointed, we request your Excellency will be so obliging as to give Mr. Gervais notice of his election and to transmit his answer to us, as we are pledged to Congress to give them the earliest information upon the subject. The other gentlemen appointed are Mr. Osgood of Massachusetts, and Mr. Walter Livingston a member of Congress for this state.[2]



Charles Pinckney

If Mr. Gervais should decline this appointment we shall be much obliged to your Excellency to recommend some gentleman of our state qualified to discharge the duties of this important office and who will, if elected, accept the appointment. We mention this because we conceive it the most important department in the fœderal government, and as two gentlemen are already elected from the eastern and middle departments, we wish that our state may furnish a Commissioner well acquainted with the resources of the southern states, and who may be able to give the board the fullest information upon every subject that may come within the line of their appointment.

For all intelligence of a public nature I refer your Excellency to our public letter and remain with respect Your Excellency's most obedient humble servant, Charles Pinckney

RC (ScCoAH: Governor's Messages).

[1] From the evidence in the first paragraph it is clear that this letter was written on January 25 after the South Carolina delegates had drafted their joint letter to Guerard early in the morning, for which see the following entry, and after the election of three new commissioners to the treasury board later that morning, for which see *JCC*, 28:18.

[2] Although Samuel Osgood and Livingston accepted their appointments, Gervais declined and was eventually replaced on July 27 by Arthur Lee. See *JCC*, 28:134n.2, 223, 232, 241–42, 29:582, 593. See also Charles Thomson to Daniel of St. Thomas Jenifer, November 11, 1784, note 1.

South Carolina Delegates to Benjamin Guerard

Sir No. *1.* New York 25th January 1785.

The Ship Philadelphia, Captain Bass, which sailed from Philadelphia on the 19th Decr. last Carried in separate letters advices from the Delegation[1] upon all Such Subjects as they had in their power to give any Intelligence to your Excellency for the Information of the Legislature—among the most Material was the Conclusion of a treaty of peace with the Six Nations a Copy of which Mr Read of our Delegation had the pleasure to inclose in a private letter to your Excellency.[2] After the sailing of Captain Bass's Ship we had the pleasure to receive Your Excellency's dispatches by Captain Allibone. They are the latest advices with which we have been favoured from Carolina.

The very Strait'ned Situation in which the delegates in Congress found themselves in Trenton rendering it impossible to continue their Session at that small Village it was thought prudent to adjourn to some larger Town till buildings in a federal City Can be provided for the accomodation of that body and the public Officers. Every one appears at present to reprobate the Idea of an Itinerant federal Council and to be Convinced of the necessity there was to repeal the Votes of Congress passed at Princeton in 1783 respecting an alternate residence in Annapolis and Trenton.[3] That plan had its advocates when

first proposed and adopted but on Trial has been found so inconvenient and to derogate so greatly from the dignity of the Supreme Council of the Union that it is now totally laid aside.

Your excellency will we trust by this time have received from the Secretary of Congress the ordinance passed on the last adjournment respecting the building a federal City.[4] We hope it will meet the Approbation of the Legislature of South Carolina.

As the dignity of the federal government seems emminently Concerned in the Congress's possessing an independent Situation and Exempt jurisdiction it highly imports the Individual States to make exertions for Carrying the ordinance last mentioned into effect. We Cannot entertain a doubt but that the legislature of the State We have the honour to represent will Cheerfully grant such sums as may be necessary as well for the buildings requisite for the service of the United States and their officers as for a House proper for the accomodation of its own delegates. According to the present Idea the Several States are to build Houses for the accomodation of their respective delegations at their separate expence—but if one Uniform plan cou'd be adopted & the whole be done at the expence of the Union it wou'd tend greatly to the Beauty and Elegance of the federal City and perhaps be productive of more solid advantages by removing jealousies from the Minds of the less Wealthy states than any difference of expence to the greater and more opulent Can possibly amount to.

As some Considerable time was necessarily employed in the transportation of the records to this City Congress adjourned on the twenty fourth of December to meet here on the Eleventh of the present Month but from the Inclemency of the Season a sufficient quorum of the States did not assemble for some days after that time. Ten States are on this day for the first time represented and as the Members find themselves Comfortably accomodated we have every prospect of a Steady and Sedulous attention to the public business, and we trust it may prove an advantageous one to the Confederacy at large.

We are sorry it is not in our power at present to give Authentic intelligence on Several great National points but the fewness of the States on the floor has hitherto prevented our touching on the Most important objects as without more than nine States we had no prospect of Coming to dignified and decisive Conclusions.

The business of a requisition on the Several States is now before a grand Committee and will we trust be forwarded to the Legislature in time for their acting on it during their present Session.[5]

The Critical Situation of the United States will also urge Congress to take the earliest opportunity of introducing to the Consideration of the several Legislatures a Variety of other Matters on Which the Credit, peace and perhaps the very existence of the United States may depend.

Your Excellency will receive by this conveyance a Letter from the president of Congress Covering Copies of some of the Most important

Letters and paragraphs of Letters from the Ministers of the United States at foreign Courts.[6] As they are under an Injunction of Secrecy We do not think it proper to make a further Mention of them—they will speak for themselves and Shew pretty plainly the Situation of our Credit and money Concerns abroad. We Cannot doubt their having a proper Effect in our Legislature, 'tis perhaps not very difficult to preserve our Credit, but if once lost, Who Can tell the price at which We may be obliged to purchase it anew?

While on the Subject of Communications from the Ministers of the United States at foreign Courts, We beg leave to observe that we feel ourselves much hurt at the publication in the Gazettes at Charleston of Certain extracts of a Letter from Doctor Franklin Communicated by Mr Read of our Delegation from Annapolis to your Excellency,[7] and Which have been Copied into all the public prints in this part of the Union. We wou'd observe to Your Excellency that all Letters from our Ministers at foreign Courts are Necessarily under injunctions of Secrecy and When by leave of Congress on application of any Member or State Extracts are permitted to be sent to the Executive of the Several States, it is ever under the Idea that no Copies for publication will on any Account be suffered to be taken.

If a Contrary practice was to prevail our Ministers wou'd be deterred from fully Communicating their opinions and ever exposed to the Intrigues and Vengeance of the particular Court or Minister of whose conduct they entertained suspicions. It is true that Secrets of State and public dispatches of a Secret Nature have frequently got into print but it has ever been thro' the Violation of the Injunction of Secrecy and want of Honour of some Unworthy Individual of Congress and always from the most Mischevious Motives. We hope our future Communications may not be exposed to be printed except where Congress think no injury to the Interests of the Union Can possibly arise from their being made public in that Manner, Which Opinion We shall not fail always to Communicate.

We expect soon to inform your Excellency of the proceedings of Congress respecting the Affairs of the Southern Indians. That business is before a Committee and will receive some Considerable advantages from the papers forwarded by you to the Chairman of the late Committee on Indian Affairs.[8]

The public prints and general Tenour of advices from Europe seem to determine that War is actually Commenced between the Emperour and their high Mightinesses. The first Cannon are said to have been fired, Ships Stopped and Hostilities Compleatly Commenced. But for the quiet of Mankind We hope that during the Winter the differences between the Contending powers may be compromised. Shoud it happen otherwise a general War seems inevitable. Prusia, France and England may probably be obliged to take a part. America will We

hope be kept out of the Scrape and may receive great advantages in the Sale of her produce during a general Commotion.

We have great pleasure in informing Your Excellency that the overtures for forming Commercial Treaties with several European powers made by the Commissioners plenipotentiary of the United States at Paris have been very Cordially receivd and that there is the greatest prospect that Connexions highly advantageous to the Trade and Commerce of these States will soon be formed with the principal Kingdoms and States not already in alliance with these United States.

As Citizens of the State of South Carolina as well as Delegates from that State to the Supreme head of the Union We enjoy the greatest pleasure in hearing that an Uninterrupted harmony prevails throughout the State and that the Contests on the important point of a Choice of representatives were Conducted with Temper & the greatest decorum and We heartily reciprocate Your Excellency's congratulations on that pleasing Circumstance.

No Conveyance will be omitted by which we Can possibly lay before Your Excellency and the Legislature any Important transactions that may take place in Congress and we trust we shall be favoured with your Communications by all Convenient opportunities for our guidance and Information.

We are with the greatest respect, Sir, Your Excellency's Most obedient Most Humble Servants.

Jacob Read

John Bull

Charles Pinckney

RC (ScCoAH: Governor's Messages). Written by Read and signed by Read, Bull and Pinckney.

[1] Only Charles Pinckney's December 14 letter has been found although John Bull and Jacob Read were also in Trenton in mid-December.

[2] Not found, but Read had informed Guerard of the treaty with the Six Nations in an earlier letter of November 20, 1784.

[3] See *JCC*, 25:714.

[4] See Richard Henry Lee to the States, December 24, 1784.

[5] For the work of the grand committee preparing the requisition to the states for 1785, see the Grand Committee Minutes of Proceedings, December 4, 1784, and January 29, 1785; and Grand Committee to Robert Morris, February 1.

[6] See Richard Henry Lee to the States, January 21.

[7] Only two letters (March 1 and 19, 1784) that Jacob Read wrote to Guerard from Annapolis have been found; neither mentions the enclosure of "extracts of a Letter from Doctor Franklin," although the former contained information from a November 1, 1783, Franklin letter regarding problems in the French banking system. See Read to Guerard, March 1, 1784, note 8.

[8] For the work of "the late Committee on Indian Affairs," see Richard Beresford to Certain States, March 30, 1784. Its report had been referred on December 15 to a new committee consisting of Samuel Hardy, William Houstoun, Jacob Read, Hugh Williamson, and Samuel Holten whose March 4 report was issued as a broadside for consideration of the delegates. It was recommitted on March 10 when David Howell took Read's place on the committee and an amended report was considered on March 11 and adopted on the 15th. The resolution specified that three commissioners be ap-

pointed to inform the southern tribes of the territory ceded to the United States by Great Britain and to make peace with them, "receiving them into the favour and protection of the United States." They were to secure the release of all prisoners and property—including Negroes—held by the Indians. They were also to give notice of the time and place of their treaties to Virginia, the Carolinas, and Georgia, each of which could send one representative to the negotiations, and to request up to 150 militiamen for protection. Congress allotted $9,000 for the commissioners' salaries and expenses and up to $4,000 for presents for the Indians. On March 21 Congress added two more commissioners, electing Benjamin Hawkins, Daniel Carroll (declined; replaced on May 16 by Lachlan McIntosh), William Peery, Andrew Pickens and Joseph Martin, any three of whom would form a quorum. On March 21 Hugh Williamson moved that the commissioners meet at Charleston on May 16 to decide upon times and places for negotiations. See *JCC*, 28:118–20, 136–39, 159–62, 183–84, 195–96, 362, 29:917; and PCC item 186, fol. 173. See also Charles Thomson to Certain States and to the Indian Commissioners, March 24, 1785.

William Samuel Johnson to Jonathan Sturges

Dr. Sr.,[1] N York Janry. 26th. 1785.

The inclosed Copy of the Resolve of Congress upon the subject of Officers Widdows will answer the principal Question in yr. favr. of the 21st—and I am informed that N York have Acted pursuant to it in the Case of Mrs. Montgomerey & New Jersey in Case of Mrs. &c &c. So that I do not apprehend there can be any difficulty in the Case of Mrs. Dimon.[2]

I heartily join with you in yr Congratulations with our Countrymn. that our Ship is yet above Water, & very sincerely hope she may soon be so Equiped as to meet in tolerable security any future Tempests she may have to encounter. Much however it must be confessed is necessary to be done to accomplish this very desireable purpose. Good dispositions do not seem to be wanting here but the Embarrassts. are so many & great & the forms of business so slow that nothing very great is yet Effected—much is in Train but how it may terminate no one can foresee. One thing is in Contempn. Agitation[3] here upon which I wish I knew the sentiments of you Politicians in Connectt. that is to Ask of the States to invest Congress with the Power of regulating their Trade as well with foreign Nations *as with each other*.[4] The first is conceiv'd necessary in order to carry into effect the Treaties made & to be made with foreign Powers, the other to prevent Dissentions between State & State which might indanger the Union. The latter might probably overturn the System Connt. has adoptd. as relate to NY which it is said she will counteract by regulats. of her Assembly now convening. The Idea of many seems to be that the Comm[erc]e between S. & S. shou'd be absolutely free.

I heartily thank you for yr. good wishes. Colo. Cook presents his Compts. to you & I beg you will make mine Acceptb. to all the Brethren of the Bar Assembled at Fairfield to whom I wish every felicity & am with the sincerest Esteem & Friendship, Yr. most affe. & obedt. hume St.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] Sturges, a Fairfield, Conn., lawyer, was elected delegate to Congress in 1774 and 1785–88, and attended July to October 1786. *Bio. Dir. Cong.*

[2] Johnson drafted this letter on the verso of Sturges' January 21 letter to him. "Mrs Dimon, Widow of the late Colo David Dimon of this Town," Sturges wrote, "who died in the Service of the United States in the Month of Septr 1777, has desired me to write you in her Behalf on the Subject of half pay; there was a Resolve of Congress as you may easily find in the Journals, granting half pay for five, or seven Years (I forget which) to the Widows of certain Officers whether of those who had before died or who should after passing the resolve, die in the Service, is the Question which she wishes to have solved. She not only desires your & Colo Cookes Opinion on the Question but wishes to know how the other States have applied this resolve which she supposes may be collected from the Members of Congress."

Johnson apparently enclosed Congress' February 25, 1783, resolve on this subject, for which see *JCC*, 24:146–47.

[3] Johnson wrote "Contempn." over "Agitation" and let both words stand.

[4] See James Monroe to James Madison, December 18, 1784, note 6.

New York Agents' Memorial

New York 26th Januy 1785.

To the Honorable the United States of America in Congress Assembled

The Memorial of the Undersigned Agents for the State of New York in a certain Controversy depending between the said State and the Commonwealth of the Massachusetts—Most respectfully Sheweth.

That altho the Agents for the said two States have had the Happiness by Joint Consent to elect the Judges for constituting a Fœderal Court to determine the Controversy aforesaid,[1] they could not agree upon the place for holding the said Court.

That your Memorialists would have been Contented that the said Court should be held at Elizabeth Town, New Ark, New Brunswick or Trenton in New Jersey, at Hartford in Connecticut, at New Port Rhode Island, at Bethlehem in Pensylvania or at Wilmington in Delaware; but that neither of these places were acceptable to the Agents for Massachusetts who insisted that the Controversy ought to be tried at some point which was most Central to the Residences of the two Judges the most remote from each other.

That as the Memorialists could see no reason for such a Measure, and were persuaded that its Adoption might work fatal Mischiefs to the State which they represent they proposed that the Appointment

of the place for holding the Court should be submitted to the Honorable Congress.

That it is with extreme Regret that they learn that Congress have been pleased to determine that Williamsburgh in Virginia shall be the place for holding the said Court; and they flatter themselves that impressed as they are with the dangerous Tendency of that Resolution to the Rights of their Constituents, they shall be pardoned for earnestly entreating the honorable Congress to reconsider the said Resolution.[2]

And here your Memorialists beg leave to Remark

1st. That in a Contest of the utmost Moment, and which must depend for its Elucidation on a Recourse to ancient Records as well as living Witnesses, it must at the first View appear essential to Justice, that the parties should be placed in such a Situation as to be able to avail themselves not only of every proof which the Adverse Claim immediately may point out; but of every proof which an Investigation of the Merits of the Question in any period of its progress may render Necessary. But will this Justice be secured if the parties must be drawn away to a remote Tribunal at the distance of four hundred Miles from the Archives and the Witnesses on which they rely for their Defence and their Safety? Surely not.

IId. This Observation will apply with singular force to the Case immediately under Consideration. The Claim of the Massachusetts is Vague and indefinite, comprehending ancient Settlements for which the Massachusetts confessedly do not mean to contend. The Nature and extent of that Claim remains then to be ascertained at a future day when the Court shall be Assembled: And it is therefore of the last Importance, that when it shall be thus ascertained, the Agents for the State of New York should be in a Condition to avail themselves of such Records and Testimony as Circumstances may require.

IIId. Precedents ought to have their Force and where they have been Uniform, it will be presumed that they are founded in Reason and Justice. The only Controversy which has been decided under the Fœderal Compact was the Claim of Connecticut against Pensylvania, and then the Court was held at Trenton in New Jersey—a Situation convenient to both the contending parties. Before the Revolution the Controversy between New York and New Jersey was determined in this City altho one of the Judges, the Honorable Mr. Randolph was a Citizen of Virginia. The Controversy between Massachusetts and New Hampshire was determined at Rhode Island. In Appointing each of these Places, the Conveniency of the parties and Witnesses appears to have been the principle Object.

IVly. But if only the Convenience of the Judges is to be considered, it will—we speak it with the greatest Submission—appear that Williamsburgh is not a suitable Appointment.

First. The Cause is to be Tried in the Summer, and if Health is any Object it must be allowed, that a more Northern Climate is in that Season preferable.

Secondly. Let the situation of the respective Judges be reviewed. We may venture to Appeal to the Southern Delegates, that it cannot be more disagreable to the Honorable Mr. Rutledge to perform a Voyage to the Delaware than the Chesopeek; and that there is no reason to suppose, that in the Summer he would undertake the Journey by Land. This Honorable Gentleman seems then to be out of the Question. Of the three remaining Southern Gentlemen, the Honorable Mr. Munroe is already in this City, and the Honorable Mr. Grayson, daily expected.

If—for tho we do not presume to dictate, we are Obliged to Name a place for the sake of Computation—*If* the Court should be held at Wilmington the distances to be Travelled would stand thus—

By the Honorable Mr. Wythe	292 Miles
the Honorable Mr. Harrison	164
the Honorable Mr. Johnson	134
the Honorable Mr. Reade	6
the Honorable Mr. Munroe	120
the Honorable Mr. Grayson	120
the Honorable Mr. Smith	60
the Honorable Mr. Patterson	87
Total	983

On the other hand, should Williamsburgh be adhered to, the Honorable Mr. Wythe would indeed be at home, but

Mr. Harrison must perform a Journey of	130 Miles
Mr. Reade	286
Mr. Munroe & Mr. Grayson each 400	800
Mr. Smith	352
Mr. Patterson	379
Mr. Johnson	200
Total	2147

The difference then to the Court collectively considered and we conceive it to be our duty to consider them collectively and with an equal degree of Attention and respect would be in favour of Wilmington as 983 Miles are to 2147.

Thirdly. Add to this the Attendance of Agents,
with the Records and Proofs which must be brought to view in investigating the Ancient Transactions with which this Contest is connected—and can it be conceived that the Cause ought to be carried down for Trial to so remote a City as Williamsburgh?

Fourthly. The Law Agents for New York who have been appointed because they are best acquainted with the Controversy are in public Stations, which they cannot abandon without Public Detriment, to say

nothing of private Injury to themselves. Whether it is reasonable to deprive the State of their Services merely on Account of the supposed Conveniency, which may arise by holding the Court at Williamsburgh is humbly Sub[mit]ted?

Fifthly. It is true that the Honorable Delegates for the Massachusetts have proposed that the Court shall [be] held at Williamsburgh, altho they are much more [re]mote from that City than the Agents for New York—these honorable Gentlemen may find no Inconvenience in such a Measure; but we can with truth say that we would expose our Cause to Hazards which Prudence requires us to Shun.

Sixthly. The Expence of Carrying parties and Witnesses so great a Journey would be enormous and we have every reason to apprehend that few Men could be prevaild upon to undertake it.

These are the Reasons which give rise to the present Memorial, and we flatter ourselves they will have sufficient weight to Induce the Honorable Congress to Grant the Relief which the sacred Cause of Justice requires.[3]

James Duane } Agents for
Walter Livingston } New York

MS (DNA: PCC, item 67). In a clerical hand and signed by James Duane and Walter Livingston.

[1] For the background of this controversy and the selection of judges, see New York Agents' Journal, December 4–9, 1784, notes 5–7.

[2] For this January 21 determination, see *JCC*, 28:13.

[3] Notwithstanding this appeal, Congress failed to grant the relief sought and Williamsburg remained the site designated for the trial. On the other hand, presentation of this memorial delayed official notification of the judges agreed upon, as President Lee hesitated to forward attested copies of their appointment until Congress responded to New York's protest, which it failed to do. And the selection of Williamsburg was again the focus of congressional debate on February 3 when Hugh Williamson moved to overturn the decision on the ground that the "mode of determining" the site on January 21 was "extremely dangerous in precedent" and contrary to the ninth Article of the Confederation. Whereas the Articles required "a majority" of the United States or seven votes for congressional decisions, Williamson noted, Williamsburg had been selected "by five states only." The Massachusetts and New York agents had mutually agreed on December 24 that the trial site should be determined by Congress "by a vote of the majority of the states to be assembled," however, and the determination had been made on January 21 when only nine states were in attendance. This agreement therefore negated Williamson's contention, and the motion itself did not come to a vote, although it was contested on a point of order. The debate at this juncture is difficult to follow, for the president sustained the motion against the challenge, and his ruling was sustained by a roll call vote that was later deleted from the journals "with the unanimous consent of the House, Monday, Feby. 7." The proceedings of the 3d on Williamson's motion were consequently lined out in Secretary Thomson's manuscript journal, but the evidence is presented ambiguously in the printed *Journals*. Cf. PCC, item 1, vol. 36; and *JCC*, 28:38–40. For the Massachusetts delegates' understanding of and response to this New York memorial, see Massachusetts Delegates to the Massachusetts Governor and Council, February 7, and to the Massachusetts Assembly, February 12, 1785.

Samuel Holten to John Hancock

Sir, New York, 27th. January, 1785.

Since I had the honor of addressing your Excellency last,[1] Congress have assembled in this City, & ten States being represented, they are now much engaged in business, & I can't but hope, we shall get thro' with the most important matters, so as to have a recess in the spring, notwithstanding, so much time was lost before we made a Congress, & in adjourning to this City.

Two days since Congress made choice of the Honorable John Lewis Gervais of South Carolina, honorable Samuel Osgood of Masstts., & the honorable Walter Livingston of New York, commissioners for the treasury.[2]

I conclude before this comes to hand, that your Excellency will have heard, that Congress had determined upon Williamsburgh in Virginia for holding the fœderal Court for settling the dispute between Masstts. & New York; but yesterday the agents of N.Y. presented a memorial to Congress representing that Williamsburgh was not the most proper place for the Court to sit, & praying for a reconsideration of the matter, & after debate it was agreed that it should be on the table 'till this day, so that what farther determination it will produce in Congress is uncertain.[3]

I have, with perfect respect, the honor to be, your Excellency's most obedient servant, S. Holten

RC (M–Ar: Revolutionary War Letters).

[1] See Holten to Hancock, December 25, 1784.

[2] See *JCC*, 28:18.

[3] See the preceding entry.

Samuel Holten to John Kettell

Dear Mr. Kettell, New York, 27th. January, 1785

I have been favored with your dutiful address of the 28th of Decr. & it gave me sensible pleasure to hear from you.

I am glad to find your brother & his daughters have visited you, as it must have been *very* agreeable to Mother; I make no doubt but he will receive my letter, but I do not expect to hear from him this winter.

Your information respecting your "small affairs at home," are very agreeable; and I assure you that I put such intire confidence in your Judgment, prudence, & discretion, that I consider it unnecessary to give any advice about affairs at home, where you are concerned.

After I arrived at Trenton it was a month before we made a Congress, & we have spent about three weeks in removing to this City;

but as ten States are now represented, we are much engaged in business of the greatest importance; the people here are the most polite & obliging I have ever met with, visitors, invitations to dine, visiting cards, &c, &c, &c are numerous, so that you may suppose, what with the business of Congress, & returning visits & proper compliment to the citizens must engage much of my attention, however, I appropriate from 10 o'clock in the evening to twelve to answer the letters I receive from my correspondents, which are very numerous; so that you may perceive that my time of rest is from 12 till Jenny comes to make my fire about 8 in the morning. I find no inconvenience from sitting up late for I could not sleep the whole night if I went to bed.

My health is better than it was, some time since, but far short of what it was when I left home.

You will make my dutiful respects to mother, & kindest love to Mrs. Kettell, & the dear little ones, & also notice my regards to Mr [?] Putnam & wife.

Yours, with *every* parental affection

FC (DLC: Holten Papers). In the hand of Samuel Holten.

Pennsylvania Delegates to John Dickinson

Sir New York Jany 27th. 1785

Mr Henry arrived here last Monday afternoon & brought with him Copies of the proceedings of the Government of Pennsylvania relating to the Wyoming dispute since the decree at Trenton and also your Excellency's letter.[1]

His arrival was Very Seasonable the next day having been appointed for debating it in a Committee of the whole House but as neither of us coud possibly in so short a time be fully possesed of the history of the facts we got it posponed and hope that it will not be revived at an early day.

We have the Honor further to inform your Excellency that a report of a Committee is now on the table respecting the appointment of additional commissioners of accounts Stating generally That Congress will appoint one or more additional commissioners in such of the larger States whose Circumstances may require subject to the regulations of the acts of Congress of and instructions given by the late Superintendant of finance. We expect this report will be passed upon in a day or two when we will have the honor of transmiting a Copy and hope it will be satisfactory to the State.[2]

Tuesday last Congress appointed commissioners of the treasury—Mr. Jarvais of Charleston, Mr Osgood of Boston and Mr Walter Livingston of this City are the Gentlemen appointed.

We have the Honor to be, your Excellys Very Humble Servts,

William Henry

Jos. Gardner

RC (PHarH: RG 27). Written by Joseph Gardner and signed by Gardner and William Henry.

[1] President Dickinson's January 18 letter to the Pennsylvania delegates is in *Pa. Archives,* 1st ser. 10:398–99. For the list of "the proceedings . . . relating to the Wyoming dispute," see *Pa. Council Minutes,* 14:318–20.

[2] Pennsylvania's appeal for the appointment of two or more additional commissioners for the settlement of the claims of her citizens against the United States had been communicated in a December 20, 1784, letter ftom Dickinson to Congress, which is in PCC, item 69, 2:479–86. It was referred to committee on December 23, which submitted a report January 26 that was recommitted on the 28th, and resubmitted February 11. The committee's recommendation to appoint one additional commissioner each for Pennsylvania and Virginia, and that they be appointed by the Continental comptroller of the treasury and not by officials of their respective states, was adopted February 23. See *JCC,* 28:20–21, 24n, 61–63, 73–74, 92–93. See also Pennsylvania Delegates to Dickinson, February 7, 1785.

William Ellery to Christopher Ellery

Dear Brother: Trenton, [January 28? 1785][1]

In my letter, dated Jan. 1st, I presented to you the compliments of the season, and particularly wished my amiable cousin Betsey, who I suspected would before the close of the year form a new and important connection, a happy new year. By a letter from Mr. Channing I find that event took place about the time I wrote; upon which accept my congratulations, and be pleased with my regards to your son-in-law and married daughter to tender to them my best wishes that they may enjoy all the felicity that the marriage state can afford. . . . I could wish to know how our brother is. This I think is the time of year in which he used to be attacked by the asthma with the greatest fury. It is indeed a pity that a man who enjoys such a fine flow of spirits, and who so well loves to talk, should not be able to breathe freely; but the human constitution is subject to disorders, and he is the happiest who is the least oppressed by them. Thank God, I enjoy a pretty good state of health, but I have been for some days afflicted with an inflammation, principally in my right eye, which obliges me to be temperate, and debars me from the amusement of reading. I hope it will go off soon, and that I shall not long suffer by my attempts in writing to convince my friends that I hold them in the most grateful and pleasing remembrance.

I have declined several invitations to dine on this account, but if hereby I have lost any pleasure, I have saved constitution. The gentle-

men of this city take great notice of members of Congress. Their cards are as frequent as leaves, and their tables are sumptuous. I dined yesterday with the Marine Society, whose regulations resemble those of the Fellowship Club of Newport. The company was very large and the talk plentiful. This society hath a handsome fund which secures to the widows of masters and mates of vessels who had belonged to the society a considerable support. All institutions calculated to promote the happiness of mankind merit encouragement. In the evening I went to Monsieur Quesnay's Concert, which was the merest farce in the world. We saw cobblers, or rather the shades of cobblers, etc., working to music; heard Jockey on the Green played pretty well, and the tune to Guardian Angels performed amidst mimic thunder and lightning. Dances by masters and misses concluded this grand and instructive exhibition. What effect exhibitions of this sort may have upon the morals of the people, I leave with you to determine.

We have ten States on the floor, and have a prospect of twelve pretty soon, when business may proceed with some degree of celerity.[2] Most of the business of Congress requires nine States, and an agreement of nine in ten is not much to be expected. We have lately received letters from our Commissioners. They have announced their authority to negotiate commercial treaties to the ministers of most of the powers, and received favorable and polite answers, but nothing effectual had been done when their joint letter of the 11th November was dated.

I wish you would procure of Mr. Peabody two handsome walnut canes of about three-fourths of an inch thickness next to the head, and three feet eight inches in length, well polished, and armed with good ferrules. I mean to make a present of one of them to the President of Congress. Desire the captain who may take charge of them to send them on his arrival at New York to Mrs. Hart's, on Smith street, not far from Pitt's statue, that being the house where I board.

I am affect'y yours, W. Ellery.

MS not found; reprinted from *Historical Magazine,* 3 (July 1859): 211–12.

[1] This date has been conjectured from the assumption that it was posted to Rhode Island with the following entry. Furthermore, Ellery notes herein that "We now have ten States on the floor," which Congress achieved on January 25. The appearance of "Trenton" on the dateline is an obvious error, either Ellery's or that of the editor of the *Historical Magazine,* for Ellery's references to "the gentlemen of this city," the "Marine Society," and "Monsieur Quesnay's Concert," all pertain to New York.

[2] Ten states were first represented on January 25; the representation of 12 states was not achieved until March 21. See *JCC,* 28:17–18, 179, 182.

William Ellery to William Greene

New York Jany. 28th. 1785

I have received your Excellency's letter inclosing a copy of the

mode of making Parmesan cheese, which was transmitted to your lady by Dr. Franklin, for which be pleased to accept my thanks.

Since the arrival of Congress at this city we have attempted much business: but only a little has been completed. The most important affairs are in the hands of a Grand Committee; such as a proposal, to empower Congress to regulate the trade of the United States, to form a requisition for the present year, to frame an establishment for a mint, an application to Congress from the State of Massachusetts for an explanation of that article of the treaty of peace which respects bona fide debts &c. After repeated efforts to chuse Commissioners for the treasury, Messrs. Osgood of Massachusetts, Walter Livingston of this State, and Jervais of Charlestown So. Carolina are at last elected.

Before this letter reaches you, you will have heard and seen the resolution of Congress relative to a federal town.[1] Nothing but the loss of time attending the vibration of Congress, the retardment of public business, and many other pernicious consequences resulting from the unsettled state of Congress would have induced me to come into that measure, at a time when the great demands against the public are unsatisfied. We have not been able as yet to appoint commissioners to carry that resolution into execution, and I can't conjecture when it will be done; for some members are opposed to the measure, and will throw every obstruction in the way, in their power, in order to defeat it, so that the federal town may be yet considered as in the air. If one should be erected I should suppose that the banks of the Delaware would be preferred by our State to those of the Potowmack; and I trust that the adjournment to this city, as it has brought my colleague and me nearer to our constituents, and, by increasing the business of our Packet-boats, will throw some money into the State, will not be disagreeable.

We have received letters from our ministers abroad, which I dare not remark upon; because, with regard to them, we are under an injunction of secrecy. Paragraphs taken from those letters are transmitted to the Executive of each State to be laid before the respective legislatures, under an injunction of secrecy.[2] I opposed their being thus transmitted; and after the vote had passed desired that the house would declare their sense, whether any thing more was meant than to prevent copies thereof being taken & published.[3] The house did not do it; but several members said that that was their intention. I think, in a time of peace, nothing should be kept secret in which the people at large are interested; and in Republics, especially, secrecy is very apt to beget suspicion.

Your Excellency knows my opinion with regard to the Impost. I trust that nothing but the last necessity will induce our state to embrace it in its present form, if at all. It is probable that this State will

not come into it; and if it should not I think we ought not to be scared into it, by the inefficacious acts of Connecticut. If the report of the Committee on the motion for empowering Congress to regulate trade by laying duties thereon; to be collected by the States and applied to their own use, should substantially correspond with the motion we shall agree to it; because a uniformity of duties will prevent a variety of interests; and because I expect a handsom sum may be collected from such of the maritime powers as have disclosed very illiberal commercial Principles. We have not received a line from our Commissioners for treating with the Indians, since the treaty at Fort Schuyler. I wish we could get the Western territory under sale; but it will take time to do this. In the mean time I hope that the people will be content to pay the interest of the public debt by direct taxation, and not be hurried by their impatience into measures which may prove pernicious to their liberty.

I am with sentiments of the highest respect, Yr Excellency's most obedt. servt. Wm Ellery

RC (R–Ar: Letters to Governors).

[1] See Richard Henry Lee to the States, December 24, 1784.

[2] See Richard Henry Lee to the States, January 21, 1785.

[3] No roll call votes were recorded in the journals on any of these issues.

David Howell to Benjamin Rush

Dear Sir, New York January 28, 1785.

Your favour of 16th Instant is before me. It always gives me pleasure to be charged with business where the interests of Literature are concerned—And in the application of Dickinson College for the use of the public buildings at Carlisle I have the additional pleasure of obliging a particular friend & gratifying many respectable citizens of Pennsylvania.

Your labours, my worthy friend, in the cause of Literature, as well as freedom, are not unknown to the World—nor will posterity be ungrateful to your memory whatever Shades faction, or bigotry may attempt to cast over your character while living.

Your memorial in behalf of the Trustees has been laid before Congress & referred to a Committee of which I have the honor to be Chairman. In consequence of instructions from the Committee I have written to Mr. Hodgson our Commissary of Military Stores, for information touching the buildings at Carlisle—and our report is suspended. The following form of a report has been agreed to in committee. That be & he is hereby authorized & directed to let by lease, on reasonable rents to the Trustees of Dickinson College in the State of Pennsylvania, for a term not exceeding ten years the pub-

lic buildings erected at the expence of the U. States at Carlisle in sd State during the late War, or such parts thereof as are not wanted for the public Stores. And that Securities for liquidated debts due from the U. States be made receiveable in payment of sd rents.[1]

I send this for your *private information only*—and for your remarks. I cannot say what Congress may be disposed to do, but pray you to be assured of my support—and of the esteem, with which I have the honor to be Dr Sir, your very hble Sert D. Howell.

RC (PPL: Rush Papers).

[1] The January 16 memorial of the Dickinson College trustees, which was written and signed by Rush, and Samuel Hodgdon's response to the committee's inquiries concerning the public buildings at Carlisle, are in PCC, item 42, 2:307–11. The memorial was referred on January 25 to a committee consisting of Howell, William Henry, and James McHenry, whose report was adopted on February 7 substantially as indicated here by Howell, for which see *JCC*, 28:18n, 44. See also Lambert Cadwalader to Rush, January 25; James McHenry to Rush, January 31; Richard Henry Lee to Rush, February 6, 1785; and Rush, *Letters* (Butterfield), 1:351–55.

Grand Committee Minutes of Proceedings

29th January 1785.

On Letter 30th Septr. from the Superintendent of Fin—with Letter from the Marquis de La Fayette & Inclosures[1]—Etats de droits,

to apply to Congress to be dischargd & to move that they be referred to the Secty of Foreign affairs to report.[2]

Adams of 20th Octr., & Barclay 15th Novr.

Same order.[3]

At this Meeting Chairman Instructd to write late Superintendent of Finance[4]—and Inclose Copy the reasons &ca. *In them* & some further Instructn.[5]

Referred Application from the Merchants of New York to

Mr Platt, Mr Cadwallader, Mr Howell

Letters & papers from the late Superintend of Finance referred at last meeting to a sub Committee of 3 (to say) Mr Williamson, Mr Howell, Mr Partridge.[6]

Instructions of Massachusetts relative to a Money-mint &c. referred to a Subcomee, Mr. Williamson, Mr. Henry & Mr. McHenry.[7]

A Subcommittee was appointed to digest the Subject of facilities—Several motion referred to them together with the report of a Subcommittee to whom was referred an application from certain holder of L.O. certificate.

That the Chairman apply to the late S. F. for a Statement of the amount of his receipts & expenditures since the date of his late Statement thereof laid before Congress.[8]

That the Chairman apply to the late S. F. for information touching the arrangements he has made for paying the interest due, or which may fall due, from the U. States on money contracts in Europe—touching payments made, or measures taken to make payments, by the several States on the requisition of April 27, 1784, & touching monies in the Treasury, or elsewhere not specially appropriated.[9]

The subcommittee to whom was referred the memorial of certain holders of L.O. certificates, beg leave to report—that, in their opinion, the collection of the requisition for the current year should be so modified as to admit any State to pay to all holders of L.O. certificates issued from the office of such State & to all holders of certificates for liquidated debts due from the U. States, who are inhabitants of such State, the amount of interest due on such certificates & payable out of that requisition provided the Sums so to be paid shall not exceed such States Quota.[10]

MS (DLC: Peter Force Miscellany). In the hand of Jacob Read and David Howell. For the appointment, composition, and renewal of this committee, see Grand Committee Minutes, December 4, 1784.

[1] For this Robert Morris letter and enclosures, see ibid., note 6.

[2] Read later added at this point: "Moved in Congress accordingly." For Congress' referral of this matter to the secretary for foreign affairs on February 7, see *JCC*, 28:47n.

[3] Read later added: "Moved Accordingly." John Adams' October 20, 1784, letter is in PCC, item 84, 5:347–50; and *Diplomatic Correspondence, 1783–89*, 1:465–66. Thomas Barclay's letter is in ibid., pp. 355–56; and PCC, item 137, 4:373–75.

[4] See Grand Committee to Robert Morris, February 1, 1785.

[5] Read later inserted at this point: "March 5th. See Morris Letters, 19th, 23rd & 25th Feby with papers returned in consequence of these resolves." None of these letters is in the PCC.

[6] On the verso of this page of minutes, Read later added the following comments:

"On this 5th March filled up the SubCommittee in room of Mr Partridge now retired from Congress, Membr Mr King.

"On Mot[io]n added two Members to this Committee, Mr McHenry, Mr Cadwallader

"Sub Committee on the requisition—papers from the late Sup of Finance &ca—now are—Mr Williamson, Mr Howell, Mr King, Mr McHenry, Mr Cadwallader

"NB This Committee have all the papers as well those from The Comptrollers Office received formerly—as those with Mr Morris's Letters of 19th, 23, & 25th February."

[7] See Grand Committee Minutes, December 4, 1784, note 7. This paragraph and the remainder of the committee minutes are in the hand of David Howell.

[8] The verso of this paragraph is endorsed: "Motion of Mr Howell for Accounts from the Office of Finance. Question—if Mr Milligans accts. do not answer this. Passed 29th January 1785."

[9] The verso of this paragraph is endorsed: "29th Jany 1785. Mr Howells motion passed. To apply to Congress for leave to lay before the late Sup of F. Extracts of the Ministers Letters &ca relating to the Money Contract."

[10] The verso of this paragraph is endorsed: "Report of Subcommittee consisting of Mr. Platt, Mr. Cadwallader & Mr. Howell."

Another brief report of this subcommittee, undated, in an unidentified hand, and on a separate sheet of paper in this collection, reads as follows:

"The SubCommittee to whom was referred the Memorial of certain Holders of Loan Office Certificates beg Leave to report that in their Opinion it should be recommended to the several States to pay to their respective Inhabitants holders of Loan Office Certifi-

cates issued from any of the Loan Offices of the United States or holders of Certificates for Liquidated Debts the Interest from time to time to become due on such Certificates and that such Payments to be made by the several States be deemed Payments on the Requisitions from Congress and the several States to be accordingly credited with the Amount of such Payments And that it be recommended to the States in their Laws authorizing such Payments to devise Means for preventing Fraud by Counterfeits."

James Monroe to John Francis Mercer

Dear Sir N. York Jany. 29. 1785.

Yesterday Mr. Gervais, Mr. Osgood & Mr. W. Livingston were elected comrs. of the treasury.[1] So. Carolina & N York voted agnst. you upon the first ballot, and as No. Carolina & Virga. were the only votes in your favor, we withdrew you immediately from the nomination. The first two were elected on the first ballot & the 3d the 2d. Mr. Read was out of Congress when the vote was taken, being indispos'd & was very sensibly mortified at the vote of his state. The principle upon wh. the delegation of N.Y. acted was well-known to me, (at least I suspected it) before we left Trenton, & from the conduct of that of So. Ca. I must confess I was not surpris'd at theirs. You have no reason for pain or anxiety at this decision: for yr. age, & little experience in business, a very honorable attention was paid you at Trenton in the vote of 5 States.[2] You had also formd early in your service here some powerful enemies who have injur'd you in their States & wh. it will take some time to get the better of. The exertion of yr. State & of yr. frnds. in other States to promote yr. wishes in this instance, as it impresses on other delegations & of course on their States, the knowledge of the confidence & respect wh. your State entertain for you, will I hope have this tendency. As I have not recd. a line from you since I left Annapolis, & of course know not the present state of your enjoyments, it is impossible for me to say anything with respect to your future direction. Indeed all that I cod. say, was I possess'd of this information, wod. be to give you my opinion upon the propriety of your coming here. There seems to be a strong disposition existing among the more respectable members, to prevent an adjournment untill all the arrangments of the Union are effected here, & in the instances wherein they depend on the measures of States in their Legislative character, effected there also, so that the Union stand well connected together & under a wise direction with respect to foreign nations. If this policy takes place, wh. I shall warmly advocate, our session will perhaps continue for a year or two, with respect to accomodations I doubt not they may be obtain'd here. Mr. Hardy & myself have hir'd three very excellent rooms in a convenient house, in a fashionable part of the town, & yesterday began to keep house. God knows what hand we

shall make of it. We have had but one dinner yet wh. was only tolerable. But we live at ease, are quiet & well situated for business. The lady of whom we hire them & who occupies the remdr. is very aged & a quaker. Some letters from our foreign ministers being read in Congress were referr'd to a committee.[3] The committee reported the day after we recd. a letter from Mr. Jay containing this paragraph. "I have reason to believe that I have come into the office of foreign affrs. with Ideas of its duties & rights somewhat different from those wh. seem to be entertain'd by Congress. If that shd. prove to be the case, I shall certainly think it my duty either to execute it on the plan most agreeable to theirs, or retire from it with as much acquiescence & respect as I accepted it with confidence in their delicacy, & gratitude for the honor they did me."[4] This was also referr'd upon wh. Mr. Jay produced to the committee a report drawn by himself for them to adopt & hand into Congress, part of wh. is as follows. "Your committee are of opinion that whatever intelligence from abroad Congress may think proper to transmit to them or others (meaning the govrs. of states) shod. be by the Secretary of foreign affrs. & that all foreign Letters & papers wh. may be laid before Congress shod. in the *first instance be referr'd to him.*"[5] Of this committee I am the chairman, the other members are Platt, Read, Hardy & Spaight, and I will candidly own to you, that I consider the servants of Congress in a different point of view from that in wh. Mr. Jay holds them: I wod. consult or not consult them at pleasure & make them respectful & obedient to the orders they receive. As you tell me nothing from the ladies I am to believe the ladies think not of me. I might apply the same reasoning to yourself but will attribute it in both instances to more interesting ingagments, wh. in your case is pardonable. I am yr. friend,

Jas. Monroe

P.S. Remember me very affectionately to my friend Genl Gates. Suggest to him that I feel it will be difficult to have the arrang'ments we wish'd & wh. the interests of the union require carried into effect; that if any difficulty shod. appear in placing him at the head of the war department I shall have him withdrawn. Make known to him also the delicacy of my own situation in that instance. Believe me there is not a woman in this town half so hansome as Miss Ch.

P.S. I have inform'd Stone we withdrew you from the nomination & my other correspondents, so that it will appear as if you were not in competition.

RC (DLC: Monroe Ephemera).

[1] The election had actually been held January 25. See *JCC*, 28:18.

[2] Congress had attempted to select commissioners on December 3, 14, and 22 while sitting in Trenton, but could not reach a decision. The votes were not recorded in the journals. See *JCC*, 27:649–50, 660, 665, 677–78, 685, 698.

[3] For the letters from John Adams, Benjamin Franklin, and Thomas Jefferson referred on January 19 to a committee chaired by Monroe which reported January 20, see Richard Henry Lee to the States, January 21. On that day the committee was also assigned letters from Adams, Thomas Barclay, and C.W.F. Dumas upon which they apparently reported January 24 when Congress discharged the committee and referred all the letters from abroad to the grand committee. See *JCC*, 28:11n, 12 and 12n, 15n; and PCC, item 186, fol. 179.

[4] Jay's letter of January 23 was officially referred to Monroe's committee on the 24th. See *JCC*, 28:17n; and PCC, item 80, 1:1–2, item 186, fol. 179.

[5] Although this particular communication from John Jay has not been found, Jay's letters to Congress of January 29 and 31, which were originally referred to a committee chaired by Hugh Williamson, were referred on February 1 to Monroe's committee along with additional Jay letters of January 31 and February 1 and a February 1 motion of Jacob Read regarding these letters. The committee's February 2 report, written by Samuel Hardy rather than Monroe, was adopted on the 11th. Agreeing with Jay, it declared that all communications to and from Congress, "on the subject of foreign affairs, be made through the secretary for the department for foreign affairs, and that all letters, memorials or other papers on the subject of foreign affairs, for the United States in Congress assembled, be addressed to him." Monroe's opposing view clearly did not prevail during committee deliberations. See *JCC*, 28:26n, 29–30, 36–37, 56–57; and PCC, item 25, 2:413–20, item 80, 1:5–18, item 190, fol. 8.

Pierse Long to John Langdon

Sir, New York Jany 31st. 1785

Since my last I have nothing to communicate thats come to a determination. Whats now before Congress is chiefly old matters which were left by them undecided upon and are now taken up. Except a motion on which we have a committee who I expect will soon report upon the expediency of the several states empowering Congress to regulate the trade of the Continent[1]—And when it is done I hope it will effectually put a stop to so daring a Conduct—as Great Britain is pursuing. It is amazing to see the quantity of Vessels in this City from all parts of England now in this Harbour carrying our goods to market—and a delay has so long been made to draw an equitable line of proceeding. I hope very soon there will be an end put to so diabolical a trade. Please to accept of the enclosed which is all at present from, Sir, Your most Obt Serv, Pierse Long

RC (PHi: Dreer Members of Congress Collection).

[1] See James Monroe to James Madison, December 18, 1784, note 6.

Pierse Long to Meshech Weare

Sir, New York Jany 31st. 1785.

When I last had the hour. of addressing your Excellency, I informed you my next would be accompanyed with those Journals of Congress

which were not then forwarded—and that they would go by a Vessel to Portsmo. as she sail'd much earlier than I expected they could not then be had. The secretarys office at that time was not removed to this city—but they will be transmitted by the first safe conveyance.

Congress have received some important advices from their Minisrs. at foreign Courts—which are preparing to be sent to the different states but at this time I am not at liberty to communicate.[1] You have no doubt seen the resolves of Congress to build a federal Town near the falls of Trenton. As our finances at present are not in a condition to enable us to carry them into execution I trust they will remain on paper only, till we are better able. We are now but Just emerg'd from a long and expensive war—many debts contracted in the course thereof—and at present unpaid—and till we can see our way clear for the payment thereof I think Congress may be content with such accommidations as we now have—And with a people who seem disposed to shew us every civility. Mr Foster & myself and some other members of Congress are at present averse to the measure—& unless we are instructed to the contrary—shall oppose the motion every time its called up. Could a plan be set on foot to buy a tract of land that's every way suitable for the purpose—and such a part thereof be sold as would be sufficient to defray the expence of erecting the buildings then we could have no objections to the same—and I have no doubt in my mind, but in a little time it may be done for wherever a federal town is built, land will consequently rise in value—as many people will wish to settle where Congress has a permanent residence. I hope that happy time will come, as in my opinion in [it] will cement the union more & more & keep it pure to generations yet unborn. Nothing but our poverty makes us averse to the present mode. Mr. Foster wrote your Excelly. a few days since & now presents his most respectful compliments. We expect soon to have matters of consequence to communicate—which will be dispatched Jointly. In the interim I am with sentiments of Regard & Esteem, Your Excellency's Most Obded. & Very Huml. Servt. Pierse Long

RC (MHi: Weare Papers).

[1] See Richard Herry Lee to the States, January 21, 1785.

James McHenry to Benjamin Rush

Dr. Sir New York 31 Jany 1785

Mr Howel, Mr Henry & myself are the committee to report on your application.[1] We have agreed to report that the buildings at Carlile be let to the trustees of Dickeson College at a reasonable rent in Continental liquidated certificates; but previous to giving in the report to

Congress we thought it necessary to enquire of Mr Hodgson commissary of military stores whether the buildings could be spared. His answer of course may influence the report. I need not add that I shall always feel myself happy to promote the interests of learning or oblige you.

I have the honor to be Dr. Sir, Yours, James McHenry

RC (PPL: Rush Papers).

[1] For this "application," a January 16 petition of the trustees of Dickinson College that was written and signed by Rush, see David Howell to Rush, January 28, note.

Grand Committee to Robert Morris

Sir, New York 1st Feby 1785[1]

The Grand Committee of Congress of Which I have the honour to be Chairman havg receivd an order to report a requisition on the States for the Current expenses of the Year,[2] I Inclose you this resolve pointing out What Information they Want from your late department to enable them to perfect this Work. Among a Variety of other subjects with which the Committee are charged are the Letters from the Ministers of the U S at foreign Courts some contracts of which & also Copies of Two Letters one from the Comte de Vergennes & the other from Mr Grand the banker at Paris are also enclosed. I beg leave to observe that the very different Idea entertained by Myself & other Members of Congress of the State of our Mony Matters in Europe (& Which we imbibed from Conversations with Yourself) seems to render a pritty general reference on these matters to you necessary, in order that Congress or the Committee may from you have a Clear & full statement of the real situation of our Money Concerns on the other side the Atlantic. I thought my self Authorized from your Information to say that a pretty Considerable sum of money was actually in Holland at the disposal of the U S & yet Mr Adams says your Bills will be protested if you shall have drawn on our Bankers there.[3] Mr. Grands Letter says he can pay no more & that he is greatly in advance and the joint Letter of the Ministers shews their situation to be truly distressing.[4] I will further just remark that your Letter of 17th August last enclosing one from Mr Marbois of the 15th, & your Answer of the 17th of same Month are also among the papers now before the Committee[5] & seem to Authorize the Idea we entertained of provision having been made for payment of the Interest due in Novr last on the Dutch loan guaranteed by his Most Christn Majesty. On this Matter this Committee wish the fullest information, their resolve is full to this point.

In consequence of a former Reference to the Comptrolers office I receivd from him, the following Accounts Which will render any Containing the same information unnecessary vizt. Estimate of the "ar-

rearages to 31st Decr. 1784 & of one years Interest arising on the Foreign & Domestic Debt," In which he has not Charged the Int of the Ten Millions guarenteed by France, supposing it paid, "Estimate of the Foreign & Domestic debt" and "*Statement* of the Times of Payment of the Principal & Interest of the Loans in France." The Committee will also be obliged for an Accurate return of the present Civil list of Congress & the Actual sallaries under which they Act from the proper office.

I have been very full on the points of the business with which I am charged by the Committee and request you will do me the favour to refer to the proper Offices any Matters on which I may have improperly Called upon you for information and further to furnish Answers as speedily as possible.[6]

I remain with very great respect & esteem, Sir, Your Most obedt Humb Sert

Jacob Read
Chairman of the Grand
Committee of Congress

FC (DLC: Peter Force Miscellany). In the hand of Jacob Read, and endorsed by him: "Draft of Letter from the Chairman of the Grand Committee to Robt Morris Esqr."

[1] Read drafted this letter in response to an instruction adopted by the committee on January 29, for which see Grand Committee Minutes, January 29, note 4. For the appointment of the committee on December 1 and its renewal on January 17 and April 6, see Grand Committee Minutes, December 4, note 1.

[2] *JCC*, 28:15.

[3] This November 3, 1784, John Adams letter is in PCC, item 84, 5:351–60; and *Diplomatic Correspondence, 1783–89*, 1:467–70.

[4] Ferdinand Grand's August 28, 1784, letter to Benjamin Franklin is in ibid., pp. 386–87; and PCC, item 116, fols. 100–102. The ministers' "joint Letter" of November 11 is in ibid., pp. 534–40; and PCC, item 86, fols. 49–58.

[5] None of these papers is in the PCC.

[6] For the Grand Committee's March 31 report on the requisition to the states for 1785, which was submitted by David Howell, who had succeeded Read as committee chairman, see *JCC*, 28:214–20.

James Monroe to James Madison

Dear Sir N. York Feby. 1. 1785.

I have lately heard nothing from you nor indeed from Richmond. I shod. suspect it arose from the adjournment of the Assembly, if I did not presume, had that event taken place, I shd. been instructed to whose care I might address my letters for you in Fredericksburg or Richmond. My letters to Mr Jones[1] have advisd you of the principles upon wh. our delegation actd in the questions respecting the places of temporary & permanent residence for Congress; more explicitly perhaps than our communications to the Executive have done, altho' indeed we have been sufficiently explicit to the Executive.[2] The comrs.

for the Fœderal town are not yet elected, arising from the urgency of more important business.[3] I am sorry I have it not in my power to inform you we had already taken measures with the {Courts of Spain}[4] & {Great Britain} upon the subjects wh. have arose between us. The reports respecting each, have been frequently acted on, without making any decisive arrangement.[5] That upon a letter of {Mr. Laurens} desiring permission for {Dr. Franklin} to retire hath also been before us.[6] It contain'd a provision that a successor be appointed in his room. A division was calld for, upon wh. an amendment to the same effect was mov'd & six States agnst three were for it. Thus it is upon all questions of a similar nature. Some gentn. wish to commit all our affrs. to be transacted at these several {Courts} to the two gentn. now in office, while we hold that at each {Court} a {minister} is necessary. That at the {Court} of {France} we shod. always be represented, & at that {of the U. Netherlands} untill we had pd. the publick debt or establish'd funds for it. That the nature of the business & the manner in wh. it shod. be conducted considering our situation, requires a particular {minister} at the {Courts} of {Great Britain} & {Spain} at their leasure & who might assume a tone suited to circumstances. That two {ministers} are incompetent to this business if they are to do it, at the respective {Courts} & that to attempt it elsewhere will certainly fail of success, since we have information to be depended on that the {Courts} of {Great Britain} & {Spain} dislike to treat with us elsewhere. Upon all these points we have six States & hope upon the arrival of Maryld. or Delaware, both of wh. are expected daily, to have the 7th. The comrs. of the treasury are elected, Girvais, Osgood & Walter Livinston are the men. Some importt. communications being recd. lately from our ministers abroad, it was mov'd that they be referr'd to a committee to determine what part shod. be communicated to the States. A committee was appointed & a report made. A few days afterwards we recd. a letter from Mr. Jay containing the following paragraph "I have some reason to apprehend that I have come into the office of foreign affrs., with ideas of its duties & rights somewhat differt. from those wh. seem to be entertain'd by Congress; if that shod. prove to be the case I shall certainly think it my duty, either to execute it on the plan most agreeable to them or retire from it with as much acquiescence & respect as I accepted it with confidence in their delicacy & gratitude for the honor they did me." This was also referr'd to a committee to whom Mr Jay gave (to be ingrafted in the report) in writing the following proposition, "and that all foreign letters & papers wh. may be laid before Congress shod. *in the first instance* be restor'd to him." Whether it will be the sense of the committee to make it a matter of right in the minister of foreign affrs. to advise Congress in the first instance upon the various subjects of his department & preclude themselves from a previous consideration, or will consider the offices in a different point

of view, consulting him when necessary & refering or declining to refer to him, at pleasure, any of the subjects before them, is yet to be determin'd.[7] I am very respectfully yours, Jas. Monroe

P. S. Mr. Mercer was in the nomination for the treasury but we withdrew him.

RC (DLC: Madison Papers).

[1] Not found.

[2] See Monroe to Patrick Henry, January 1, 1785, note 1.

[3] For this election, see Maryland Delegates to William Paca, February 11.

[4] Words printed in braces in this text were written by Monroe in cipher.

[5] See Samuel Hardy to Patrick Henry, December 5, 1784, note 3; and Monroe to Thomas Jefferson, December 14, note 6.

[6] See John Jay to Benjamin Franklin, December 13, 1784.

[7] See Monroe to John Francis Mercer, January 29, note 5.

William Samuel Johnson to Benjamin Gale

Dr. Sr,[1] NY. Feby 2d. 1785

I have just now reced yr. favr. of the 20th for whh I thank you as well as for the long one some time ago & every other of yr. favors. I [. . .] for for when I desired you to write I told you I could not. It is really true my right hand has in this respect forgot its burning. At least I am obliged to write to You *that in order* it be legible to anyone but myself but it is impossible for me to raise up any correspondance which require much writing. Add to this that I find myself so much engaged here either in Business & company, of the latter of which I am obliged to see much more than I could wish that it absolutely take up the whole of my time & leave me very few Moments except necessary so keep to myself. I can therefore at present at least only very briefly Answr. yr. Quests. Nobody I have seen here seems to doubt but the Pamphlet you have so justly remarked upon was written by the Author whose Name it bears[2] but it is a Book not much read & less regarded. The general observat[io]n of those who have seen it is that he was not sufficiently informed upon the subject he undertk. to say much to the purpose upon it. And there Is I believe no danger of his making any Ill Impressions here. You need be under no apprehensions at present I believe of any Aristocratic Chains but may yet ride (I hope long & securely) upon the Democratic Wave. Not that there are no Democratic Tyrants here but the Principles & Vices of Democracy are yet prevalent & will I think continue to have the [. . .] a superiority. The greatest Danger in that regard that [. . .] in seems to arise from that Strong propensity we have to run into [. . .] Lunacy & dissipations of every kind. The fatal tendency of which [. . .] to overturn our Constitutions

our Countrymen do not seem to be sufficiently aware of. You ask how I like Congress & how they like me [. . .] of me they have had so little arg[um]ent that as yet I dare say they have [. . .] formed no expressed Opinion upon the subject. Nor can I have had sufft. knowledge of them to form a decidedly just Judgmt of them. In general I can only say there is much ability discovered in the discussion of affairs & universally good dispositions to do the best they can for the general Weal. But they do not always readily agree in what is [. . .] that [. . .] they must with in [. . .] & [got at?]. All I have to find fault with at present is that discussion appears to me, on many occasions to be too much protracted, & of consequence the business *makes* but slow progress. Yet it seems to be unavoidable in an Assembly of this Nature. I am glad Dr. Chauncey is pleased with yr. Papers & hope you will send them to him as he proposes.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] Benjamin Gale (1715–90), Connecticut physician and political writer, and one of Johnson's oldest friends, who shared with him a disdain for many forms of enthusiasm, political and religious. See *DAB;* and George Groce, *William Samuel Johnson: A Maker of the Constitution* (New York: Columbia University Press, 1937), pp. 11, 66, 104, 127.

[2] Perhaps the second of Alexander Hamilton's "Phocion" letters attacking New York's punitive loyalist legislation, which appeared in the second Philadelphia edition under the title *Colonel Hamilton's Second Letter, from Phocion to the Considerate Citizens of New-York on the Politics of the Times, in Consequence of the Peace: Containing Remarks on Mentor's Reply* (Philadelphia: Robert Bell, 1784). Hamilton, *Papers* (Syrett), 3:530n. No other references to the work, however, have been found in the correspondence of Johnson or other congressional delegates.

Charles Pinckney to Benjamin Guerard

Sir, New York February [2–6] 1785[1]

An official Letter from our delegation containing a state of the transactions of Congress & a subsequent one from me containing an account of Mr. Gervais election as one of the Commissioners of the Board of treasury were transmitted by a Vessel that sailed on the 24th Ultimo.[2] Since this we have been employed in adjusting & establishing such an arrangement of our Foreign Ministers, as may best consist with the present state of European politics, & as this is a matter of very great consequence, it will be sometime before we shall be able to form such a System as will meet the approbation of a Majority of Congress.

After a great deal of debate & discussion, we determined on Monday last to send a Minister to the Court of London, & as soon as the Secretary of foreign Affairs furnishes his instructions & they are ratified by the house we shall proceed to elect a Gentleman to represent Us at that Court: our Delegation have nominated Mr. John Rut-

ledge—several others are in nomination & I should suppose it will be a well contested election.[3]

Several very artful & dangerous forgeries of Continental securities have been lately discovered, upon which a person in this City has been apprehended & a proclamation issued by Congress for detecting the authors & abettors of a crime so dangerous to the public Credit.[4]

An ordinance is passed for regulating the War department & as soon as his Salary is fixed, a Secretary at War will be appointed & I hope Congress will soon proceed to the establishment of fœderal magazines in the different parts of the Continent formerly fixed.[5]

At Trenton Congress determined to send a Minister to the Court of Spain & it now remains as one of the Orders of the day to elect a Minister for this purpose. Our Delegation have nominated Arthur Middleton for this appointment, but as in the case of the Court of London, there are a Number of Candidates & I should suppose will be also well contested.[6]

I remain with respect, Your Excellencys Most Obedient

(signed) Charles Pinckney

Tr (ScCoAH: Governor's Messages).

[1] This undated letter could have been written as early as February 2 because of Pinckney's references to adoption of the proclamation on the counterfeiting of army certificates and his nomination of Arthur Middleton to be minister to the court of Spain, both of which occurred on that day, or as late as February 6 because of his reference in the second paragraph to the adoption "on Monday last" of a January 31 resolution to send a minister to London.

[2] Actually, 25th "Ultimo," for which see South Carolina Delegates to Guerard, and Pinckney to Guerard, January 25, 1785.

[3] For the election of John Adams to this post, see Elbridge Gerry to Adams, February 24.

[4] See Abiel Foster to Joseph Howell, January 10, note 2.

[5] See Elbridge Gerry to Samuel Hodgdon, February 7, note 1.

[6] See *JCC*, 28:35n.2; and Samuel Hardy to Patrick Henry, December 5, 1784, note 3.

Charles Thomson's Memorandum Book

[February 4–28, 1785]

February 4. Sent to the several States, Copy each of Resolutions pass'd 2d Inst. relative to the Counterfeiting Final settlement Certificates issued by John Pierce Commissioner for settling Accots. of the Army covering each two of the printed Proclamations & sent one likewise to Mr Milligan covering 6 Proclamations.[1]

Sent to the Office for Foreign Affairs, Three fair Copies of the Contract with Holland & ratification subjoin'd with Copy of resolution of 1st Inst. directing the Secry. for Foreign Affairs to transmit the same by several Conveyances to our Minister at the Hague.[2]

Sent to the President to be forwarded 9 Copies of the Appointt. of Commissioners or Judges for determining the Controversy between the States of Massachusetts & New York as enterd on Journal 24 Decemb 1784.[3]

7. Deliverd. Mr King, Copies of Ditto with Copies of the Appointt. of Williamsburg in Virginia as the place for holding the Court.[4]

Deliver'd Mr Johnson Copy of an Act of State of Connecticut on Memorial sundry Inhabitants of Wyoming.[5]

9. Deliver'd Col. Beatty a Letter Addressed to Mord[ec]ai Hale by the Secy. of Congress[6] enclosing Memorial of s[ai]d Hale to Congress & sundry other Papers—which he is to forward to his brother at Terry Town.

Sent per this days post—to the Secy in the War Office

Resolution pass'd the 7th Inst. directing the Secy. to remove the Books & Papers belonging to that Office to this City as soon as the measure can be effected.[7]

Ditto of the 7th to the Post Master Genl. directing him to remove to this City on or before the 21st March next.[8]

Ditto of the 7th to Mr Milligan directing Officers of the several Depts. of the Treasury now at Philaa. to remove on or before the 1st May next the Books & Papers of their respective Offices to this City.[9]

Ditto of the 7th to Doctor B. Rush authorising Commissrs. of the Board of Treasury to let by lease on reasonable terms for a term not exceeding ten years part of the Public Buildings at Carlisle to the Trustees of Dickinson College.[10]

Ditto of the 7th To E. Fox Commissr. of Hospital Accots. relative to Accots. of Docr. Cutting.[11]

15th. Delivd. Mr King a Copy of the above.

Sent to the Governor of New York a resolution of the 11th Inst. recommending to said State to settle with certain Indians in like manner with the Officers of that State.[12]

Sent to the Office for Foreign Affairs per Order Mr Thomson

Letter 15 Novemr. 1784 from Thos. Barclay to the President of Congress.[13]

do. October 20th 1784 John Adams to the President of Congress.[14]

do. No. 47, 48 & 49 Tripl[icate] from Mr. Dumas.[15]

Sent to James Milligan Esq a resolution of the 11th relative to Accounts of Major Hopkins.[16]

Deliver'd Col. Beatty a Copy of the above.

Sent to Wm. Denning Commissr. of Accounts an Order of the 14th Inst. with report of Comptroller of Treasury on Giles Wolcott's Accounts with all the papers enclosed.[17]

16th. Deliver'd Capt Van Heer a resolution of 15 Inst. directing Commissioners of Board of Treasury to advance him 500 Dollars on

Accot. of pay with sundry papers which came enclosed in his several petitions to Congress—Vide his receipt with the remaining papers in the Office.[18]

Vide Secretary's Letter Book. Februy. 14th 1785, For transmission of sundry resolutions &c.[19]

18th. Deliver'd Delegates of Rhode Island—resolution of 16th Inst. relative to Contractors for Ox teams in said state.[20]

Sent to the Secretary in the War Office—

A resolution of 17th Inst. directing Treasurer to advance him 80 Dollars for Account of Contingencies forwarded by Mr Thomson with the President's Warrant for sd. sum.[21]

21st. Sent to the Secretary in the Marine Office—

Petition of Wm. Henry referred to him to report.[22]

Deliverd Doctor Johnson Petition of Stockbridge Indians together with all the papers accompanying the same.[23]

Sent to James Milligan Esq. Comptroller of Accots.

1st. A Letter dated 1 Januy. 1785 from James Morrison with Accounts of Advances in Canada—referred February 21t to him to report.[24]

2d A resolution of Congress of 16th Inst. relative to Contractors for Ox teams in the state of Rhode Island.[25]

3d. A resolution of the 18 Inst. for advancing to Mr. Duer Esq. Contractor for rations issuable in the State of New York—3000 Dollars.[26]

Deliver'd Wm. Duer Esq. Copy of the above with the President's Warrant upon the Treasurer—subjoined.

Sent a Letter dated February 18th 1785 from the Secretary of Congress to John Alsop Esq—Pres. of the Corporation of Chamber of Commerce pursuant to a resolution of Congress of that date.[27]

Sent to Comtee. of Artificers, Tradesmen & Mechanics a Letter dated as above—in pursuance of resolution of same date.[28]

22d. Sent to James Milligan Esquire Comptroller of Accounts—

Resolution of 18th Inst. directing Board of Treasury to pay to Mrs. E. Thompson the sum of One hundred dollars immediately & One hundred Dollars Annually in quarterly payments during her life.[29]

Sent Mrs. Thompson Copy of the above.

Sent Mr Milligan Copy of resolution of 18th Inst. referring Memorial of James Warren authorising him to revise the Accots. and make report to Congress—Papers transmitted.[30]

23d. Deliver'd Mr Thomson 12 Copies report of Secry for Foreign Affairs on case of Longchamps.[31]

Deliver'd Mr Read a Copy of the last Indian Treaty.[32]

25th. Deliver'd Jedediah Leeds Copy of a resolution of 24th Inst. directing the Treasurer to advance him Dollars with the Presidents Warrant subjoined.[33]

Deliver'd Piere Ayatt—Copy of resolution of 24th Inst. directing Treasurer to advance him 300 Dollars on accot. of his pay with the Presidents Warrant subjoined.[34]

Sent to the different States 6 Copies each of resolutions pass'd 23d Inst. founded on Letter from the Executive of Pensyla. and ditto William Denning Esq. Commissr. for settling Accots. of Quart. Mastr. Department.[35]

Sent William Denning Esq. 6 Copies of the above.

Sent to James Milligan Esq. 24 Copies of ditto as also one Copy of all the resolutions passd on the 23d & 24th Inst.[36]

26th. Transmitted to the Governor of Virginia Copy of resolution of the 23d Inst. relative to appointment of one additional Commissioner in that State & Pennsylvania.[37]

Transmitted to the President One Copy of the above.

Ditto to the Governor of Virginia Two Copies of resolution of 24 Inst. relative to Capt. Finnie.[38]

28th. Deliver'd Mr Hardy one Copy of the above (respecting Finnie).

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson. A continuation of Thomson's Memorandum Book, January 19–29, 1785.

[1] See *JCC*, 28:32–34. See also Abiel Foster to Joseph Howell, January 10, note 2.

[2] See *JCC*, 28:27–28. For "the Contract with Holland," entered into by John Adams on March 9, 1784, see PCC, item 145, fols. 261–69.

[3] See *JCC*, 27:709–10.

[4] For this January 21 "Appoint[ment] of Williamsburg," see *JCC*, 28:13.

[5] This "Act," adopted during the October 1784 session of the Connecticut General Assembly, is in PCC, item 66, 2:282–83; and *Susquehannah Co. Papers*, 8:139-41.

[6] See Thomson to Hale, January 24, 1785.

[7] See *JCC*, 28:45.

[8] Ibid.

[9] Ibid.

[10] Ibid., p. 44.

[11] Ibid., pp. 42–44.

[12] Ibid., p. 55.

[13] See ibid., p. 12n; and PCC, item 137, appendix, fols. 373–75.

[14] See *JCC*, 28:12n; and PCC, item 84, 5:347–50.

[15] See *JCC*, 28:12n; and PCC, item 93, fols. 33–50 (translations of which are in PCC, item 115B, fols. 55–59).

[16] *JCC*, 28:58.

[17] Ibid., p. 63.

[18] Ibid., pp. 66–67.

[19] See Thomson to John Lewis Gervais and Samuel Osgood, and to Philemon Dickinson, Robert Morris, and Philip Schuyler, February 14.

[20] See *JCC*, 28:71.

[21] Ibid., p. 75.

[22] For this petition of William Henry (a clerk and steward on board the sloop *Hornet*, not the Pennsylvania delegate), see *JCC*, 28:86n, 157n.

[23] Not identified; but for the last previous petition of the Stockbridge Indians to Congress that is in PCC, see these *Letters*, 18:381–82.

[24] Morrison's letter is not in PCC, but for the disposition of his appeal for the settlement of his accounts, see *JCC*, 28:69n.2, 130n, 469; and Thomson to William Barber, June 21, 1785.

[25] See note 20.

[26] See *JCC*, 28:79-81.

[27] See Thomson to the New York Chamber of Commerce, February 18, 1785.

[28] See Thomson to the Artificers, Tradesmen, and Mechanics of New York City, February 18.

[29] For this provision for pensioning Elizabeth Thomson, General Washington's housekeeper during the war, now 81 and destitute, see *JCC*, 28:76n, 84–85; and PCC, item 78, 22:297–300.

[30] See *JCC*, 28:85.

[31] Secretary Jay's February 16 report on Longchamps is in PCC, item 81, 1:17–24.

[32] Apparently the treaty signed January 21 at Fort McIntosh with the Chippewas, Delawares, Ottawas, and Wyandots, for which see *JCC*, 28:424–26.

[33] See ibid., pp. 9–10, 98. According to Joseph Nourse's accounts, Leeds was advanced 613 66/90 dollars on the award that had been made to him of 5063.6.11 livres Hispaniola currency. PCC, item 141, 2:40.

[34] *JCC*, 28:98–99.

[35] See Thomson to the States, February 26.

[36] See *JCC*, 28:92–93, 98–101.

[37] Ibid., p. 92.

[38] Ibid., pp. 99–101.

Samuel Holten to Richard Phillips

Sir Saturday eveng [February 5, 1785]

Agreeably to your request I enclose a short draft of an address to Congress, which you will make such alterations & additions as you think proper.[1] I remain, with respect, your most obedient

ENCLOSURE

His Execy the President & the honorable delegates from the united State[s] in Congress assembled.

The memorial of Richd Phillips, humbly sheweth, that in July 1779 he was appointed Steward to the Presidents houshold, in which office he has continued ever since, & has to the utmost of his power endeavored to discharge the trust reposed in him, but his salary being fixed when Congress were sitting in the city of Philadelphia, to 550 dollars per annum he can't suppose your Execy & honors will think it has been sufficient to defray his extra expences in discharging the duties of his office since Congress left that city; and therefore he humbly prays that he may be allowed a reasonable sum for his extra services & expences. R.P.

New York Feby 1785

FC (DLC: Holten Papers). In Holten's hand and endorsed by him: "Copy of an address to Congress & a letter to Mr Phillips, 5th Feby. 1785."

[1] The memorial Phillips subsequently submitted to Congress is almost identical to the draft prepared for him by Holten, with the blank in the date filled in February 10th. PCC, item 42, 6:294–95. It was referred to committee on February 14, which reported in Phillips' favor February 21, with the specific sum due him left undetermined. Congress took no action on the report, however, and the matter was not resolved until March 23, 1787, when sweeping changes were made in the system for compensating Continental officials. See *JCC*, 28:66n, 87, 32:128–29, 33:747, 34:623.

William Samuel Johnson to Samuel William Johnson

Dear Billy N York Saturdy. Eveng. Febry. 5th. [1785]

It was an unfortunate Consequence of the irregularity of the Stage that I did not receive your favour of the 1st till this afternoon when it was almost too late to hope to obtain any Letters for you seasonably to send forward by this post. I applied however immediately to Mr. McEvers who says his Partner Mr. Seagrove has lately made the Tour of the Islands, & will furnish you with such as may be necessary.[1] Fortunately also I just now fell in with Mr. Deuer whose Family was from Antigua, who has also promised me Letters, & Mr. Verplank proposes to get others from a Mr. Beekman so that I hope I shall have some at least ready by the time the Post go's out. I shall nevertheless procure others, in expectation that you may not perhaps sail precisely on Wednesday, & that I may have Opportunity to send them by the Stage before your departure; or if you sho'd be gone they may be return'd me that I may inclose them to you at the several Islands to which directed, & forward them from hence, for which reason I sho'd know the Name of your Vessell. I doubt not they may be useful to your Captain in the Sale of his Cargo, as well as to you.

I am persuaded you have determin'd prudently in the resolution you have taken, & approve of it. I have therefore only to wish you a prosperous Voyage & to pray God that it may be the means of restoring & confirming your health. Majr. Alden from his Experience will be able to give you good directions for your Conduct in taking Care of yourself both at Sea & in the Islands. Avoid as far as you can the Evening Air, the Meridian Sun, & Excess of every kind. I shall want to know how you are furnish'd for the Voyage, & what you will have to subsist on when on shore. If you have not time to write again before you go, let Charles inform me. You will of course write us by every conveyance. Don't you propose to carry some Books with you to amuse you, if you are not sea sick, & particularly a French Grammer &c. You will no doubt ride about the Country when on shore, perhaps you had best take a Horse with you for that purpose. Your answer to Nicholls was very well. I am content to wait on Castle, as I believe he is

very poor, but what I agreed to was to take a new Note with security, for the Balance, but it may be as well to let it rest where it is.

Sunday Eveng. 8 O'Clock. The Eastern Post I find is not come in, & no dependance upon his arrival sooner than Thursday. But the Stage (by which I have no Letters) is, contrary to expectation, come in, & as usual gos off at 5 in the Morning. Depending upon the Post, & not expecting the Stage, the Letters I had engaged were to be ready at 10 O'Clock, the Post hour, tomorrow. I have therefore been to Mr. McEvers & sent to Mr. Duer, to acquaint them with this embarrassment. Mr. Seagrove is gone from home but Mr. McEvers has sent after him, & they will do the best they can to dispatch their Letters this Evening. Such as I can obtain I shall enclose, the rest must wait, the next Conveyance. I have written Govr. Shirley but do not at this moment recollect his Christian name, I think it is William, probably Majr. Alden will recollect it, so leave it to you to direct & seal it (as you will all other Letters sent you) before you deliver it. I hope I shall be inform'd by the first Opportunity whether you are certainly to sail on Wednesday as was proposed I sho'd wish it might be postponed a few days that you may receive such Letters as I may be able to procure, if not as I have said I will endeavour to forward them from hence. Present my tenderest Love to all the Family. That all gracious Heaven may Bless, Protect, & Prosper you, & return you to us again in health & safety will be the constant Prayer of, Yr. most affectionate Father & Friend,

Wm. Saml. Johnson

10 O'Clock. Perhaps you will think these Letters sufficient. The Gentn. advise to Visit as many Islands as may be convenient.

RC (CtHi: Johnson Papers).

[1] Johnson wrote Billy again on this subject on February 9, enclosing a number of letters of recommendation for him to Barbadoes, Jamaica, and Martinique. And on the 20th he advised him on the "Property" and "Letter of Credit" he would be taking with him to defray the expenses of his voyage to the West Indies. Johnson Papers, CtHi. See also Johnson to Samuel William Johnson, January 16, 1785.

James Monroe to Joseph Brant

Dear Sir,[1] (Copy) New York. Febry. 5th. 1785

I have lately received your favor from Cataraqui[2] and am happy I have it in my power to correct the information you have received respecting the detention of Captain Aaron Hill and others, Chiefs of the Six Nations, under the late Treaty at fort Stanwix.[3] The Commrs. in concluding that treaty, agreeably to a stipulation of it,[4] with consent of the Six Nations, kept these Chiefs as Hostages untill there shou'd be a

complyance with the engag'ment on the part of the Indians, in the restitution of their prisoners. This is a custom warranted by all previous Treaties, where stipulations of the same Kind are entered into. Their situation is quite different from that of Prisoners nor are they considered in such a light. It is a practice Known & in use, among the politest European Nations and therefore cannot be held dishonorable to the Indians. As for my own part, I consider it in this instance as an unnecessary precaution, for I have such confidence in the Indian Chiefs and Warriors, that if they gave me their honor they wou'd perform any condition, I wou'd require no other obligation from them. It is in Old Countries, hacknied in the vices & debaucheries of Courts, where solemn ingagements are treated with contempt, and the faith of Treaties hold of no avail. Between the Indians & the United States I wou'd require no other obligation than their mutual honor, but the commissrs. of Congress thought it their duty to pursue the old custom. I have no doubt, if it is the desire of the Chiefs, they will be set at liberty, provided they can get home; or if they cannot, they will be invited here, where they will be treated with the utmost kindness & friendship. I am exceedingly glad you did not go to G. Britain. It is the earnest disposition of the States to cultivate the friendship of the Indians, and of course, the less they are connected with other powers, the more agreeable it will be to them; and the greater confidence they will be able to place in them. Examine your own situation; look to the Powers of Europe; mark their objects and progress on this Continent; then look to the united States; with whom does the powerful impulse of nature, or the God of nature bid you ally yourselves! Did we request you in the late War to be otherwise than neutral! But you might have joined us! And do we request more now than that you be our friends. Does the spirit of revenge govern us in our conduct toward you? It does not. We wish to take you by the hands & forever hereafter to esteem you brothers. Your apprehensions of danger in coming here are believe me groundless. You shall certainly be treated with kindness & the utmost attention & be permitted to go when you please. I shou'd be glad to see you here & many other members of Congress as well as our friend Governor Clinton wou'd also be happy to see you. Believe me I speak with sincerity, that the disposition of the Congress is very friendly to the Indians, and that nothing wou'd be more painful to them, than that any circumstance shou'd take place which might give them uneasiness. I shall be always happy to hear from you & Mrs. Brant as well as little Joseph & am very sincerely your friend & servant,

James Monroe

Tr (PRO: C.O. 42/47:177–78). Addressed: "Captain Joseph Brant." Endorsed: "In Sir Jno. Johnson's of 4 May 1785."

[1] Joseph Brant (1742–1807), or Thayendanegea, war chief of the Mohawk Indians, had been sent for his education to Lebanon, Conn., by the British superintendent of In-

dian affairs, Sir William Johnson, who had "married" his sister Molly. In 1774 Brant became secretary to Sir William's successor as superintendent, Guy Johnson, and received a captain's commission from the British in 1775. Presented to the British court in London that year, Brant returned to become heavily involved in British and Loyalist raids along the New York and Pennsylvania frontier throughout the war before withdrawing with his tribe west of the Niagara River following the cessation of hostilities. Failing to reach a settlement with the United States, he obtained a large grant of land from the British along the Grand River in Ontario and, during a visit to England later in 1785, a cash indemnity for the tribe. See *DAB;* and Isabel T. Kelsay, *Joseph Brant, 1743–1807, Man of Two Worlds* (Syracuse, N.Y.: Syracuse University Press, 1986).

[2] That is, present-day Kingston, Ont.

[3] See Richard Henry Lee to James Madison, November 20, 1784, note 1.

[4] That is, article 1 of the treaty specified that "Six Hostages shall be immediately delivered to the commissioners by the said Nations, to remain in possession of the United States, till all the prisoners, white and black, which were taken by the said Senecas, Mohawks, Onondagas and Cayugas . . . shall be delivered up." See *JCC,* 28:423.

Richard Henry Lee to Benjamin Rush

Sir New York Feby. 6. 1785

I have received the letter that you did me the honor to write to me on the 16th of last month, and I lost no time in presenting to Congress the petition of the Trustees of Dickinson College. The petition was referred to the consideration of a Committee, but as yet no report has been made upon it.[1]

Informing the minds of youth, is an object of such essential consequence to the well being of society, that I hope this proposition will meet with no difficulty; and it is a purpose as benevolent as well to deserve your fostering care and attention. I am particularly obliged to you Sir for your polite and friendly congratulation on my appointment to the Chair of Congress.

I have the honor to be Sir, Your most obedient and very humble Servant, Richard Henry Lee

RC (PPL: Rush Papers).

[1] For Congress' response to this January 16 petition of the Dickinson College trustees which was written and signed by Rush, see David Howell to Rush, January 28, note.

James McHenry to Margaret McHenry

⟨*Sunday 6 Feby. 1785*⟩

You have supposed that our brother at Sunberry[1] gives me more particulars of his situation and prospects than you can. He says "to know the accurate detail of my prospects and situation apply to my friends in Philadelphia." So you see, my love, that I am still to be en-

lightened on this head. It does not appear to me from his letter that he is at all discontented. He knows that he ought not to expect Philadelphians at Sunberry, nor improved manners in a frontier county. If he gets practice, and finds himself enabled to make profitable land speculations it is all he can reasonably expect. Of you and his niece he speaks very affectionately, and chides me as affectionately for not writing, all which could not fail to both please and flatter me.

And now you must listen to my sufferings, which I have not had time to communicate sooner. There is a phrensy rages in New York and a persecution which the members of Congress never experienced before. It is a truth that every day of the last week was marked with an invitation to dinner, and that I have been obliged to open a dining register for the new week.[2] But this is not all, for I begin also to perceive the horns of another calamity. On Friday I drank tea and spent the evening at Mr. Rutherfurds, and I understand that there are crouds of invitations in embrio from various quarters in which cards and the ladies are to be principally concerned.

I know it is not right to wish ones friend for a fellow sufferer, and yet I feel, that were you a partaker I should not complain of my present situation.

FC (MdHi: McHenry Papers). In the hand of James McHenry.

[1] Apparently Margaret's brother, John Caldwell (1759–1820), who had taken up residence in Sunbury, Northumberland Co., Pa., on the Susquehanna River.

[2] In a second letter of this day McHenry told "Peggy" that "I obey an invitation to dine at Chancellor Livingstons." McHenry Papers, DLC.

Elbridge Gerry to Samuel Hodgdon

Dear Sir, New York 7th Feby 1785

I am favoured with yours of the 1st & 4th with the original Copies of the Invoices which I shall send by the next post to Boston. The Delegates of Massachusetts have this Day inclosed Bills of Exchange for 260 Dollars, which I wish to be negotiated without Delay, as it is of great Importance that Major Story should proceed on the Business mentioned in their Letter to you & Colo Pickg. The Expence of taking Copies is to be charged the Delegates agreably to their Request. Inclosed is the War Office Report, which I beleive was passed without much alteration—the Journals are not within my Reach & therefore I cannot ascertain what amendments were made by Congress.[1] The Salary is not established but it will not exceed 2000 Dollars which appears to me too inconsiderable for an office of that Importance.[2] It is uncertain when I shall go to the Eastward, but probably within 5 or 6 Weeks. I remain Sir in great Haste Your Friend & hum Ser,

E Gerry

RC (DNA: RG 93, file 30,066).

[1] Gerry apparently enclosed a copy of the report on the war office that was adopted on January 27 in the form of "An Ordinance for ascertaining the powers and duties of the Secretary at War." It is endorsed: "Ordinance Respecting the War Office—Read first time 8 Decr. 15 Decr. assigned for 2d Readg. Jany 17 1785, Read a Second time. Wednesday Jany 19 assigned for the third reading. Pass'd Januy 27, 1785." See PCC, item 188, fols. 21–24.

The office of secretary at war had been vacant since the retirement of Gen. Benjamin Lincoln in November 1783, since which its duties had been conducted by the secretary in the war office, Joseph Carleton, upon whom increasing responsibilities had been thrust without official recognition or adjustment of compensation ($1,000 per annum). The war office had been severely neglected in the general atrophy of Continental government following the coming of peace, and a formal effort had been made by David Howell May 26, 1784, to reduce the operations of the office still further which had remained unresolved when Congress adjourned from Annapolis the following week. On December 2, three days after Congress reconvened at Trenton, the subject was revived, and a committee consisting of Howell, Gunning Bedford, Egbert Benson, Samuel Holten, and James Monroe was appointed "To revise the System of the War office & to report such alterations as they may judge necessary." It was the work of this committee that Gerry communicated to Hodgdon, commissary of military stores at Philadelphia, one of the few officers who had been retained in service since Lincoln's resignation. The movement to appoint Lincoln's successor had been postponed until a new war office ordinance was adopted and an appropriate salary could be agreed upon. See *JCC*, 25:753, 803–5, 26:126–27, 27:436–37, 479–80, 672, 28:21–23; and PCC, item 186, fol. 169. For the disintegration of the war department following the negotiation of peace and attempts to revive it during this transitional period, see also Harry M. Ward, *The Department of War, 1781–1795* (Pittsburgh: University of Pittsburgh Press, 1962), pp. 40–54.

[2] An attempt to set the salary of the secretary at war at $2,500 had been defeated on February 1. After the failure of attempts to set it at $3,000 and at $2,500 on March 1, it was finally set at $2,450 on March 4, and four days later Gen. Henry Knox was named to the post. See *JCC*, 28:28, 115, 129.

Samuel Holten to Israel Hutchinson

My dear Sir. New York, 7th Feby., 1785.

I have been favored with your kind address of the 22d January & consider myself under renewed obligations for your attention to my affairs. I wish not to give Mrs. Whipple trouble nor desire her to pay me, before she can sell the estate, but I must insist upon payment before the estate is divided among the creditors, as the money due to me, was advanced (to the decd) for taxes, and is first to be paid & therefore I have still to request your attention to the same.

It gave me concern to hear of your indisposition, & real satisfaction to find you were recovering, & I hope your health is perfected.

I perceive you are under some mistake in supposing the letters you mention came from me, as I have wrote to you but one letter, before this, since I left home, & that you acknowledge to have received.

Please to make my respectful compliments to the Doctor & acquaint him that I have not heard from Capt. Jones since I left home, neither do the letters from our ministers mention any thing about the

affairs the Doctor is concerned in, however he may be assured it will give me pleasure if I can render him any services while I am here.

Congress are much engaged in business of the greatest national importance; Our finances, the settlement of the Western country, the navigation of the Mississippi, the state of our commerce in general, & the British being still in possession of the Fortresses on our northern frontiers, are subjects that require the greatest attention.

The affairs between the Emperor & their High Mightinesses put on a *very* serious appearance, but as winter is the time to negotiate, possibly it may be settled. The people of this City are very kind & polite to the members of Congress, who they say have honored them with their presence; visitors, cards for dining, & visiting cards &c, &c, are numerous; however, these things are well enough in there place, but we are a young republican Government & great Œconomy & prudence is necessary.

I took notice of your kind wishes for my health & happiness & Mrs. Hutchinsons "best regards," and will each of you be pleased (in return) to accept the like salute.

I remain, with particular respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

Richard Henry Lee to William Shippen, Jr.

My dear Sir, N. York 7th Feby. 1785

I am very happy to in[form] you that your friend Dr. Cuttin[g] settled his affair with Congress t[o his] entire satisfaction.[1] My Love [. . .] please, to my excellent Nephew. [Tell] him that altho my finances, for want of remittances in this severe Season, prevents me from presently remitting to Mr. De Barthold his money, that it shall not be neglected when my remittances shall come. My love to you all—God bless you & farewell, Richard Henry Lee[2]

RC (DLC: Shippen Family Papers).

[1] Former Apothecary General John Brown Cutting had attempted the preceding September to settle his accounts with Edward Fox, commissioner for the Hospital Department, but in the process a box containing his vouchers fell overboard while being transported across the Delaware River damaging all and rendering some "absolutely illegible." When Fox first appealed to Congress in December for special instructions in handling the case, a committee chaired by Dr. Hugh Williamson recommended that Cutting's claims be denied because to settle accounts without adequate documentation "would deprive the U.S. of any kind of security against impositions." Cutting renewed his appeal, however, in a January 20 memorial to Congress and a second committee, chaired again by Williamson, took the more lenient position "that Mr. Cutting's general character is not only unimpeached, but . . . he does not appear to have improved his estate, while he was charged with public property." Congress ordered this day that Cutting's cash account of $2,474 be settled. See *JCC*, 27:699, 28:14n, 42–44; and PCC, item 78, 6:251–75.

[2] This day Lee also wrote a letter to an unidentified recipient, an extract of which was published in *Robert F. Batchelder Autographs*, catalog 13 (April 1976) item 126: "That [news] which is foreign is entirely confined to the quarrel between the Emperor and Holland. Blows had certainly been exchanged, but the winter intervening the better opinion is, that the negotiations in that season of inactivity in the field, will terminate the dispute amicably. For the sake of humanity it is to be wished. [Congress has been prevented] . . . from going into the consideration of revenue matters—indeed there being no Treasury Officers since the resignation of Mr. Morris has been one cause of delay in this most important of all our concerns. . . The trade between Great Britain & their W. Indies—the Territorial dispute about St. Croix, the detention of the Western Posts, and some other subjects of doubt will render it indispensable that we should send an Able, Honest, Conciliating Minister to the Court of London. . . American refugees and Tories . . . will keep the two Countries in perpetual hot water and prevent any amicable settlement between us. The presence of such a Minister as I have described will banish a Myriad of those Miscreants. When the Commissioners who are now treating with the Western Indians shall have finished . . . we shall proceed in Congress to [sell] some part of that . . . region that has been yielded to the U.S. by Virginia."

Massachusetts Delegates to the Massachusetts Governor and Council

Gentlemen, New York 7th Feby. 1785

We have this day drawn a Bill of exchange on the treasurer of the commonwealth of Massachusetts for Two hundred and sixty mexican dollars to enable us to send an express to the commissioners of our appointment for constituting in part a federal court for determining the dispute between Massachusetts and New York—the necessity of this measure arises from a detention of official information on the Subject, in consequence of a memorial from the agints of New York to annul the determination of the place for holding the federal court, made in pursuance of an agreement of the agents of both States. We have opposed a commitment of the memorial,[1] upon the ground that congress have no authority to alter the place thus fixed by agreement—and to secure the commissioners acceptance of our nomination, we shall be under the necessity of continuing our opposition, unless we are assured that an alteration of the place will have no effect in preventing that acceptance. This may take up much time in congress, and as the appointments are by a second agreement of the agents null & void, unless as respects those who may accept within two months after the determination of the place for holding the Court, and considering likewise that seventeen days have already elapsed of the time mentioned, we think it is indispensably necessary to transmit to the Commissioners attested copies of the agreement & determination referred to and to obtain their answers before the expiration of the Two months.[2] We have the honor to be with great respect your most obedient & very humble servants. E Gerry. Geo Partridge

S. Holten R. King

RC (PHC: Roberts Collection). Written by Rufus King and signed by King, Elbridge Gerry, Samuel Holten, and George Partridge. Addressed: "His excellency the Governor & the honorable Council of Massachusetts."

[1] See New York Agents' Memorial, January 26, and note 3.

[2] For the progress of Massachusetts' campaign to ensure the convening of this court in Williamsburg in June, see Rufus King's letters to Elbridge Gerry, March 20, 24, and April 26, and to John Lowell, April 14, 1785.

Massachusetts Delegates to John Lowell and James Sullivan

Gentlemen New York 7th Febry 1785

No official Information has been yet transmitted to our fœderal Court, or rather to the Commissioners who are to constitute it, excepting that which was contained in a joint Letter of the Agents of New York & Massachusetts;[1] & the Matter, since the Determination of the place for holding the Court, pursuant to an agreement of the Agents, has been, and still continues to be embarrassed by a Memorial from the Agents of New York to Congress, for the purpose of altering that Determination. The particulars We shall inclose by the earliest opportunity to the Legislature,[2] but in the Interim We think it necessary to send an Express with Copies of the agreement & Determination referred & have drawn a Bill of Exchange on the Treasurer of Massachusetts for two hundred & sixty Dollars payable in ten Days, & pray your attention to a punctual Discharge of the Bill as a Failure would reflect Dishonor both on the Common Wealth & its Delegates.

We remain Gentn With the highest Esteem your Friends & humble Serts.

Geo Partridge E Gerry. Delegates
R King S. Holten of Massa.

RC (MH–H: bMS Am 1582). Written by Elbridge Gerry and signed by Gerry, Samuel Holten, Rufus King, and George Partridge.

[1] See Massachusetts and New York Agents to James Monroe, December 28, 1784.

[2] See Massachusetts Delegates to the Massachusetts Assembly, February 12, 1785.

Pennsylvania Delegates to John Bayard

Dear Sir New York Feby 7th. 1785

I received one of your favours since my arrival here and have wrote you[1] stating that Connecticut has revived the old dispute about Wyoming.[2] A copy of their papers I have transmitted to Council which doubtless will be laid before the Assembly for their deliberation Very soon after Meeting.

Mr Henry's arrival with the copies of the Proceedings of the state in this affair has anticipated My request that you wou'd furnish us with them. The Council having done this fully except such as relates to the proceedings of the last Supreme Court at Northumberland & Easton, these may be necessary at least so far as they were published in one of the Philada. papers about one month ago. A few days after the arrival of Mr Henry this Matter was taken up as the order of the day when we without difficulty had it postponed Sine die And hope it will give time to the Legislature to deliberate in such a manner as will give Mutual Satisfaction to the parties and do complete Justice.

By all that we can learn from the delegates of Connecticut she has no serious intentions of prosecuting this dispute as a state any more than Merely to Patronize her Cityzens (the Wyoming Settlers) in their Claim of Soil and even that feebly as Dr Johnson has told us that he neither wishes nor can proceed in the dispute till he receives further instructions and that he expects An agent or agents from the Settlers and not the State.

How far the decree at Trenton has decided the right of Soil as well as Jurisdiction is a question that professional Lawyers may differ in Very much. We think that both have been determined fully. There is evidently two parts in the decision Vizt the lands in dispute and Jurisdiction both Judged to be in Pennsylvania by the Court at Trenton. If this Matter comes to be seriously debated in Congress you must see the Necessity of having an agent or agents of professional knowledge of Law to combat Dr Johnson.

Hitherto we have not been able to finish the business of appointing the additional Commissioners for settling and liquidating the Publick accts.[3] altho' a report has been on the table many days agreeable to the intention of the law which we hope will be compleated in a few days. The report is a general one comprehending every State having large unsettled accts. with the Publick and when resolved upon we will take the earliest oppertunity of forwarding. If it don't arrive in time I wish the operation of the Law could be suspended a few days longer, that we may have the Credit of being Federal in our measures.

A Brittish Packet arrived at the Hook Thursday last but the mail was not brought to the City 'till Saturday evening last, a report prevails that the Dutch & the Emperor have Settled their dispute—no particulars nor is it generally believed—but it is probable that the winter may afford an oppertunity of negociating & perhaps terminating them. We lodge together Since Mr. Henry's arrival and 'tho not the most comfortable, or at a Very high rate, which together with fuel, candle and liquors &c amount to more than we had any reason to apprehend.

We have the honor to be, Sir, your Very hble & obedient Servts

William Henry

Jos. Gardner

RC (PHarH: RG 27). Written by Gardner and signed by Gardner and Henry. Addressed: "To John Bayard Esq., Speaker of the General Assembly, Philadelphia." RC damaged; missing words supplied from *Pa. Archives*, 2d ser. 18:643–44.

[1] Not found.

[2] For Connecticut's revival of the Wyoming Valley dispute, see Hugh Williamson to John Dickinson, January 14, note.

[3] See Pennsylvania Delegates to John Dickinson, January 27, note 2.

Pennsylvania Delegates to John Dickinson

Sir New York Feby 7th. 1785

The Wyoming dispute rests at Present and we hope will do so for some time, we have seen Mr Wilson and recd by him some additional papers to them brought on by Mr Henry relating to that unhappy dispute.[1]

The report of a Committee upon your Excellency's letter with the inclosures relative to the appointment of additional commissioners for Settling and adjusting the accounts of the Cityzens of Pennsylvania against the United States remain undetermined untill a report is brought in to prevent frauds supposed to be practised by some persons having unsettled accts. and Stated to Congress by Mr. Denning commissioner in this State, which we hope will be made tomorrow.[2] The first report as brought in and which we have reason to believe will pass, comes up fully to the Idea of the legislature as expressed in the act and we hope they will see the propriety of a further suspension of the opperation of that Law rather than suffer the State to be reproached with an Unfœderal Measure especially as the objects of it can suffer very little by a delay of a week or ten days and perhaps not half that time.

We are with due respect, your Excellency's Very humble Servts.

William Henry

Jos. Gardner

RC (PHarH: RG 27). Written by Gardner and signed by Gardner and Henry. Addressed: "His Excellency John Dickinson Esqr. President of the Council, Philadelphia."

[1] James Wilson was in New York at this time not as a delegate to Congress but to confer with Gardner and Henry on Pennsylvania's strategy in response to Connecticut's attempt to reopen the Wyoming Valley controversy. He also wrote the following letter to Dickinson on February 26.

"The Controversy respecting the Settlements at Wyoming depends before Congress in a very disadvantageous State of Suspence. I think that both the interest and the Honor of Pennsylvania require, that a speedy and explicit decision should be had upon the Complaints and representations which have been made against her. As far as I can learn those who style themselves Claimants under the State of Connecticut have not appointed or instructed any person to advocate or support their Pretensions; and no attempts have been lately made to bring them forward. While matters continue in this undetermined Situation, those People may flatter themselves and represent to others, that

the Complaints laid before Congress stand uncontradicted, and that there may still be a favourable Adjudication upon them. It is easy to foresee what a pernicious Effect such Sentiments will have upon the Settlements in that part of the Country. For these Reasons, I beg leave to express my Opinion that no time should be lost by the State in instructing its Delegates to press Congress for a decision on the Complaints and the Memorial now before them. In some Conversations I have had with Governor Clinton, the actual running and marking of the line between Pennsylvania and New York has appeared to Us to be a Measure of much importance to both States, and which, in the present Juncture may be easily accomplished. His Excellency has recommended the Measure to the Legislature of this State; and a Bill for the Purpose has already passed the Senate: There is no doubt but it will be agreed to by the Assembly and become a Law. It is of much Consequence, that a similar Law be made by the Legislature of Pennsylvania, during the present Session; so that the Commissioners under both States may be able to proceed on the Business in the Spring. This would have a happy Effect in convincing People on the Spot, that all the Land in that Country belongs either to Pennsylvania or New York." RG 27, PHarH.

[2] See Pennsylvania Delegates to Dickinson, January 27, note 2.

David Howell to William Greene

Sir, New York February 9, 1785.

In pursuance of the Instructions of the Hon. the General Assembly, their delegates have moved in Congress that the Contractors for Oxteams in 1781 should be paid their ballances out of the last requisition. This motion is yet in the hands of a Committee. It is our Expectation to obtain a resolution authorizing the State to pay these ballances out of the requisition for the current year, the last requisition having been otherwise appropriated.[1] And, indeed, this is all that Massachusetts could obtain for their Contractors.

A great deal of business lies before Congress in the hands of Committees & in reports. It is easy to perceive that the tardiness of the delegates in assembling at Trenton, together with the adjournment to this City must have prevented us from the expected dispatch of public business. I have the pleasure, however, to observe that eleven States are now on the floor, & that a good degree of harmony prevails.

A Grand-Committee has been appointed & instructed to report a requisition on the States for the supplies of the current year.

Mr. Morris has returned his Commission to Congress in a Letter dated Sept. 30th & ceased to act in his official character. His accounts of receipts & expenditures, during his administration, in detail, has not been laid before Congress, as yet; but we are informed it is now at the Press in Philadelphia. The Chairman of our Grand-Committee has written to him for information [*on*] what arrangements he has taken for paying the interest due in Europe?[2] What payments have been made, or measures taken to make payments, by the several States on the requisition of last April? And what monies remain in the Treasury,

or elsewhere, not specially appropriated? This is all the account I am able to give of the State of the Treasury, excepting that the State of Virginia, in the course of the last year, as I am informed by her delegates now in Congress, have paid into the Treasury of the U. States more than four hundred thousand dollars in *real* money. I hope this will at least justify an opinion heretofore advanced that the delinquency of the States was not so much owing to want of energy in *the fœderal government*, as to want of energy in the government of *the particular States* & a *real want of resources*, or of the power to render them *productive*.

The happy return of peace & plenty to the States will, it is hoped, produce similar effects throughout the Union & restore public credit.

The Hon. John Lewis Gervaise, of So. Carolina, the Hon. Samuel Osgood, of Massachusetts, & the Hon. Walter Livingston, of this State, have been elected Commissioners of the Board of Treasury. The latter is present & ready to accept. The two former have not had time, since the notification of their Election, to return an answer.

Congress have ordered all their public Offices to be removed from Philadelphia to this City. The Portraits of the King & Queen of France are also to be brought here.

The City-Hall has been given up to the use of Congress & their officers by the Corporation of the City, excepting the room in which the Mayors Court is holden[3]—And I presume it is unnecessary to mention that the members can be accommodated in the best manner—but that the expences of living here are greater than at any other place where I have attended in Congress.

We wait with impatience the result of the negotiations opened with the Indians—as the Western lands are in great demand, & frequent applications are made for grants. It is expected that Congress, before they rise, will be enabled to open their Land-Office, & to establish Some government in the Western wilderness.

I am sorry to observe that the Southern States do not seem disposed to cede their claims over the mountains to Congress. No. Carolina has even repealed her act of cession, after the example of Connecticutt. Happily it is out of the power of N. York & Virginia to repeal theirs.

The Agents for Massachusetts & N. York have agreed on the Judges to constitute a fœderal Court to decide on their interfering claims to Vacant lands.[4] This Court is to be holden in the City of Williamsburg in Virginia, next June.

The N. York land-office is open to all the citizens of the U. States. Forty two petitioners are to have six miles Square at one Shilling per acre to be paid in any kind of Securities for liquidated debts due from the U. States, or from the State of New York. Their land-office, their Impost, their confiscated estates, &c. will enable this State to establish funds sufficiently productive to pay all their debts. I am informed, &

that in a manner satisfactory to me that the Bill for granting an Impost to Congress will be rejected by a Majority in the Legislature of this State which is now in Session.[5]

As this measure has not been adopted by the State of Georgia & as the supplementary funds, the only Security in the System for the domestic creditors, have not been effectually complied with in more than one or two States, I have given it as my opinion here that our State would not resume the consideration of that Subject 'til *all* the other States should have substantially complied: And indeed, in that event, of which I see no probability, it might perhaps be for the Honor of the State to fall in with that measure, *last of all* & only on *the most violent compulsion.*

In consequence of a motion made in Congress by an advocate for a revenue in the hands of Congress, a Committee has been appointed to report the measures necessary to be taken on the Subject of the recommendations of April 18, 1783, for the Impost, &c. As Congress have been pleased to appoint me Chairman of this Committee & to join with me two members who are not friendly to the revenue System, it would seem that a change of the financeering System may not be far off: But as this Subject has not been drawn into discussion in the present Congress I have no authority to announce the probability of such an event.[6]

I have transmitted to my good friend Governor Bowen News-papers containing a bill published by the Legislature of Pennsylvania for funding their quota of the national debt on *State funds.* Such a measure was adopted by New Jersey long ago; & I am told that other States are taking the hint. Sure I am that *State funds* may be established on as *safe grounds* & prove as *productive* as funds in the hands of Congress. Can it be said that the particular States are unable to draw from the people as much money as they can, or ought to pay? Will not *State-laws* operate with greater energy & safety than *fœderal Ordinances?* But I have almost involuntarily run into a Subject I intended to have avoided when I sat down to write this Letter, as it has been already exhausted & the bare mention of it has become ungrateful to the ears of some of my good friends.

Congress have resolved to send Ministers Plenipotentiary to represent the U. States at the Courts of Madrid & London; & their Election is made the order of the day. In consequence of the earnest request of Dr. Franklin it is in contemplation to permit him to return to this his native Country, where he wishes to lay his bones. The return of this venerable Patriot under these circumstances must give pleasure to all his friends, or let me say to all the friends of this Country & of freedom. Governor Jefferson, who is peculiarly acceptable to the Court of Versailles, will probably be appointed his Successor at that Court.

I observed in my last,[7] that the resolution of Congress putting all the Letters from our foreign Ministers under an injunction of Secrecy,

was my apology for not making more ample communications on the Subject of our Foreign Affairs.

It is in contemplation, at least with some Gentlemen, to recommend to the States an Alteration of the Confederation on the Subject of Commerce. The motion under commitment aims to vest Congress with power to regulate both foreign & coast wise trade—And to ascertain & regulate the duties to be paid in the importation of foreign merchandise:[8]

provided that the assent of at least nine States in Congress shall be necessary to all their ordinances on these Subjects—And

provided also, that all such Ordinances shall receive the approbation of the Legislatures of nine States before they shall take effect.

provided also that such ordinances shall continue in force only years.

provided moreover that the Legislatures of the particular States shall relinquish all power to lay imposts against their neighbouring States—And lastly,

provided, that all such imposts shall be collected under the Authority, & accrue to the use & benefit of the particular State where they shall be paid.

I have thought proper to lay these outlines of the System proposed before the State; Should it be thought proper to act on this Subject, or any other by way of altering the Confederation, I am clearly of opinion that the Bill for the purpose ought to be published for the consideration of the people at large & that every town should be requested to give their deputies special instructions on the Subject.

I trust in the Wisdom of the public councils to devise a System of commercial regulation which will answer every reasonable object of the mercantile part of the community, without endangering the Liberties of this Country: But if I am called on either to part with my freedom, or foreign commerce, I shall want no time to deliberate.

The proceedings of the Committee of the States at Annapolis last Summer are printed & to be sent forward to the several States.[9]

Since the assembling of Congress in this City some of the Southern States have discovered great uneasiness under the Ordinance passed at Trenton respecting the residence of Congress & It yet remains very uncertain whether Fœderal buildings will be erected any where soon. On this Subject, however, it is considered that the eastern States have possessed themselves of the advantage ground.

The question of the Independance of Vermont has not been resumed—nor have their delegates made their appearance as yet. The delegates would be happy to receive particular & pointed instructions on the Subject of commerce. How far will the State consent to part with its power to regulate commerce? How far will it be safe to vest Congress with power relative to ascertaining & regulating duties, &c. As it is our earnest wish (for I believe I may also speak for my Col-

league in this matter) to conform our conduct to the views of the Honorable the General Assembly, it will, at all times, be very agreeable to receive instructions on any subjects of Importance.

I could wish to enlarge on several Subjects but the fear of giving offence by obtruding my indigested Ideas will induce me to conclude this Letter by requesting your Excellency to assure the Hon. Genl. Assembly of my constant attention to their interest & to those of the U. States—& to be persuaded of the great esteeme with which I have the Honor to be, your Excellencys most obedient & very hble Servt.

David Howell

P.S. I must request that no copies of my Letters be suffered to be taken for certain reasons.

RC (R–Ar: Letters to Governors).

[1] See Howell to Jabez Bowen, March 7, note 1.

[2] See Grand Committee to Robert Morris, February 1.

[3] For the January 14 offer by Mayor James Duane of the City Hall as Congress' new residence in New York, and its acceptance by Congress on January 18, see *JCC*, 28:4n, 7–9; and John D. R. Platt, *The Continental Congress in the New York City Hall, 1785–1788* (Washington: U.S. Office of Archeology and Historic Preservation, 1969), pp. 1–5.

[4] See New York Agents' Journal, December 4–9, note 6.

[5] See Rufus King to Elbridge Gerry, March 24, note 4.

[6] This committee had been appointed December 17, 1784, and Howell had been named chairman upon its renewal January 17, 1785, when a number of committees were renewed as Congress reconvened in New York. Its report, which was not adopted, is endorsed: "Read 15 March 1785. . . Jany 27. 1786 Recommitted to Mr Monroe, Mr Johnson, Mr Gorham, Mr Symmes, Mr Livermore." See *JCC*, 28:8n, 162n.3; and PCC, item 24, fol. 123.

[7] Howell to Greene, January 12.

[8] See James Monroe to James Madison, December 18, 1784, note 6.

[9] See *JCC*, 27:724.

Joseph Gardner to John Bayard

Sir New York Feby 11th. 1785

The appointment of Commissioners to carry into effect the ordinance of Congress for the Purpose of erecting federal buildings upon the banks of the Delaware has taken near four days of this week and has this day been effected, Genl. Schuyler, Phil. Dickinson and Robt Morris are the commissioners. Some States have not been hearty in the Measure—Maryland has been principally active in delay—from what Motives we are not at liberty to do more than conjecture.[1] Perhaps the precipitate retreat of Congress last Summer from their Capital has its influence, or they rather wished the banks of the Potomack had been fixed for the permanent federal residence which would have placed the Capital of the United States nearer them—but what-

ever reasons opperated with them it is Very evident that Congress have lost that influence at home and respectability abroad which are essentially necessary to conduct with advantage the concerns of a great Nation and which can never be r[e]gained while they are once or twice a year Moving from place to place. Princeton, Anapolis and Trenton have been Visited in order & in the Very hour of expectation each have experienced disapointment. New York is now the temporary residence untill a permanent one is provided and if this should fail Perhaps this City in turn will feel her share of Chagrin by another removal—in short Sir there appears no end to removals but in the erection of a permanent federal House in which each State will have an intrest and in some degree find themselves at home.

We gave a Cheerfull assent to the ordinance at Trenton convinced of the advantage and necessity of the Measure and believing that it woud meet the approbation of our constituents who have generally stood first in executing every thing that appeared calculated to promote the Honor and happiness of the federal government.

The Place proposed in the ordinance whether on this or that side the Delaware is Very favorable to Pennsylvania. Much of the money expended there will finally center in our State—this deserves attention. The offer made by New Jersey of thirty thousand pounds and territorial Jurisdiction give rise to an enquiry which we have frequently heard What will Pennsylva. do? To this we cannot answer but as the Legislature are now sitting we state these things to you in order that they may have it in their Power to favor us with their instructions upon this point as soon as convenient.

Wednesday nixt is appointed for discussing the report of a committee respecting the appointment of additional commissioners of accts and we have reason to hope it will fully answer the intention of the house—a compleat Copy of the Laws and resolutions of the legislature since the revolution are Very necessary for us, therefore we request that we may be furnished with them as early as convenient.[2]

We have heard nothing of the Wyoming Business since we last wrote you.

We have Honor to be Sir, Your Very hble Servts

Jos Gardner

[*P.S.*] This letter was intended a Joint One but Mr Henry is out therefore wants his Signature.

RC (PHi: Gratz Collection).

[1] See the following entry.

[2] Speaker Bayard laid this request before the Pennsylvania Assembly on February 18 and the following day the house ordered that its delegates in Congress be furnished with a copy of the laws of the commonwealth. *Minutes of the First Session of the Ninth General Assembly of . . . Pennsylvania*, pp. 145, 148, DLC(ESR).

Maryland Delegates to William Paca

Sir New-York Feby. 11th. 1785

On the 8th Instant Congress being about to proceed to appoint Commissioners to carry into Effect their Ordinance of [1] We thereupon brought into Debate a Motion for postponing the Appointment of Commissioners, till the Delegates representing the several States could consult with their Constituents in a Matter so important and momentous.[2] This Motion going off by Adjournment, We moved on the 10th a Limitation of the Suspension till the first of May. Having obtained by this Procedure the Sense of the House, which We found generally opposed to a Suspension, and not being possessed of any Official Opinion from the State, We thought it best to decline our Right of Entry on the Journals till We could be officially advised. Out of eleven States on the Floor, there appeared in Favor of a Suspension, the State of New-Hampshire, one Delegate from Massachusetts, one Delegate from Virginia with the State of Maryland. After submitting to your Excellency the inclosed Copy of our Motion of the 10th which contains the Substance of that made on the 8th, it is almost unnecessary to add that on a candid Review of the Circumstances of the United States We are sincerely penetrated with the Policy and Necessity of a Suspension of the Operation of the Ordinance. Congress have elected Generals Schuyler & Dickinson and Mr. Robert Morris Commissioners to execute the Ordinance.

We have the Honor to be, with the greatest Respect, Yr. Excellency's most obedient & very humble Servts. James McHenry

Wm. Hindman

ENCLOSURE

A Motion of the Delegates of the State of Maryland.

It is with sincere Concern that the Delegates of the State of Maryland perceive a settled Determination in Congress, to appoint Commissioners to carry into Effect, their Ordinance of [1] while at the same Time they regret that Necessity, which obliges them to fix their Opposition to the Measure, on the Journals of Congress.

The Objects of the Ordinance being two, First to found a fœderal Town, And Secondly to erect[3]

They had flattered themselves, they speak it with profound Respect to Congress, that the Circumstances of the United States, would alone have justified Congress in procrastinating the Execution of so expensive & seemingly unnecessary an Undertaking.

They have sedulously but unsuccessfully attempted, to reconcile it's immediate Execution, with the pressing and importunate Demands of those Creditors, whose Loans to the United States, Congress are

called upon by every Impression of Gratitude and good Faith, to satisfy without further Delay.

They are also compelled to acknowledge their Insufficiency of Penetration, to discover the Expediency of Founding a fœderal Town, of not less than two Miles square, between two large Cities, either of which offer to Congress almost without Expence, every Convenience and Advantage that can be created by the Force of Money in a fœderal Town.

They also entertain a painful Doubt, as to the Competency of Congress to "found a fœderal Town" under the Authority of the Confederation. By the eighth Article of the Confederation, it is declared "That all Charges of War and all other Expences that shall be incurred for the common Defence or general Wellfare and allowed by the United States in Congress assembled, shall be defrayed out of a common Treasury." It would seem that Congress having so many Towns in their Choice, in which they may hold their Sessions, and at a very inconsiderable Expence erect a Fœderal Stadt-House & proper Offices, if the Erection of such Stadt-House and Offices should become necessary, that the "Founding a Fœderal Town" for these Purposes is by no Means essential to the ["]common Defence or general Wellfare" and that the Money for such a Measure cannot therefore be constitutionally defrayed out of a common Treasury.

From all which Considerations it appears essential to a satisfactory Conclusion that the Parties be allowed a reasonable Time to consult & advise with their Constituents, especially as an Opportunity for similar Advice and Consultation may be said to have been tacitly admitted by Congress in the Case of the two fœderal Towns.

Therefore the Delegates of the State of Maryland move that Congress suspend the Appointment of Commissioners to carry the Ordinance for founding the said Town into Effect till the first of May next.

RC and enclosure (MdHi: Red Books). Written by Hindman and signed by Hindman and McHenry.

[1] December 23, 1784. See *JCC*, 27:699–705.

[2] James McHenry's motion, which was seconded by New Hampshire's Abiel Foster, was immediately challenged as out of order but was upheld by a vote of 7 to 3. Nevertheless, Congress adjourned before it could be taken up, and the Virginia delegates succeeded in further postponing the election on February 9. The following day the Maryland delegates offered a more formal motion to suspend consideration of the ordinance until May 1 (see enclosure), intending to register their protest on the journal. Prospective defeat led them to withdraw the motion, however, whereupon Foster's subsequent motion to postpone was also defeated. Congress then elected Philip Schuyler one of the commissioners for determining the federal site, and Philemon Dickinson and Robert Morris were added on the 11th. See *JCC*, 28:48–51, 53–55, 58. For notification of the commissioners and Schuyler's rejection of the appointment, see Charles Thomson to Dickinson, Morris, and Schuyler, February 14.

[3] Approximately two and one half lines of space left blank in the manuscript.

Abiel Foster to Joseph Howell

Sir. New York 12th. Febry. 1785.

I enclose a coppy of Genl. Patersons Order on you as pay-master for the N. Department in favor of Capt. Ebenzr. Sullivan for the sum of seventy two pounds L. Money.[1] In his Letter to me enclosing the original order he states that on the account of the depreciation his Company refused taking the money which prevented his presenting the same for payment ⟨and⟩ desires me to obtain the Money and forward it to him in new Hampr. as early as possible.

If you will be so oblieging as to give me the necessary information on the subject of Mr. Sullivans Letter to me with the enclosure it will enable me to return him an answer, & confer an obligation on your very humble Servt. A. Foster

RC (NN: Emmet Collection).

[1] Capt. Ebenezer Sullivan of Gen. John Paterson's Massachusetts Regiment had long been seeking settlement of his accounts for compensation during his captivity following his capture at the Cedars in May 1776, for which see *JCC*, 10:288–89, 296–97, 304–5, 26:60–61. See also Foster to Howell, April 4, 1785.

Massachusetts Delegates to the Massachusetts Assembly

Gentlemen, New-York 12th. Feby. 1785.

The meeting of congress at Trenton in pursuance of the resolution of the 26th of April last was attended with many embarrassments; the town is small, and the accomodations not so extensive as the various officers of congress required for the convenient transaction of the public business; many of these accomodations were contrary to the expectation of congress taken up by the Members of the legislature of New Jersey, then sitting at that place; a general uneasiness in consequence was soon manifest in the members of congress, and a preference for Phiiadelphia was daily increasing.

The present policy of carrying into effect the Resolve of congress for their alternate residence on the Potomack, and the Delaware, was made a question, & induced the Resolution of the 20th of December, declaring the inexpediency of erecting federal Buildings at more than one place at present.[1]

We were fully impressed with the inconvenienies of an appropriation of money for the erection of even one sett of federal buildings; the pressing demands for an annual discharge of the interest of our foreign debt, the same obligation applying with equal justice to the

Debts due to our own citizens, were viewed in connection with the backwardness of some of the States in furnishing their respective quotas of former requisitions, and operated against an appropriation.

On the other hand, the numerous inconveniencies of the frequent removals of congress, the dissatisfaction that some of the States would entertain, provided their individual wishes, on this subject, were not gratified, the great loss of time, and division of sentiments, likely to take place, in future discussions of this question, the exposure of the public records to injury, or destruction, and in fine, the opinion of irresolution, and want of union, which the frequent changes of residence would probably produce in foreign nations, are considirations of importance, & were allowed their weight—our situation at Trenton convinced us that a small village was unfit for the residence of congress; and it did not escape us, that their sessions being held in any large commercial city, would never be found beneficial to federal measures; the experience already acquired on this subject had made the proposition most clear, that the council of the United States ought to be remote from large trading cities, and free from their influence.

Comparing these sentiments we were induced to esteem it a measure of political necessity, to conclude in favor of an immediate erection of federal buildings, on the Delaware; and until such buildings could be ready for the reception of congress, to fix on a situation, less exceptionable than Trenton, for their temporary residence. Had we been reconciled to Pennsylvania on the subject of her former Defect in support of the Honor of the United States, yet we found that state so central to the Union, that, holding a casting vote, and it being her individual interest that Philadelphia should be the residence of congress, she would have impeded every measure for the completion of the federal buildings, & thereby have kept Congress in that City. New York is so far on one side the Union, that this difficulty is not to be apprehended; the accomodations of this City are equal to those of Philadelphia, the climate more salutary, and the erection of federal buildings free from impediment; our exertions therefore were in favor of New York as the temporary residence of Congress, who yesterday made choice of General Schuyler, of New York, General Dickerson of New Jersey, & Robert Morris Esquire of Pennsylvania, Commissioners to carry into effect the ordinance of the 21st day of December, relative to the federal buildings.

The instruction of the Legislature relative to an explanation of the fourth Article of the definitive treaty between the United States and Great Britain has been laid before congress, and is now in the Hands of a grand committee:[2] the inclosed extract of a Letter from the commissioners for forming commercial Treaties (*and numbered 1*) will inform the Legislature in what stage that business is abroad, in pursuance of an instruction of congress.[3]

The progress made in instituting a federal court between Massachusetts & New York previous to the Time when the Agents left us, has undoubtedly been communicated to the Legislature[4]—soon after we forwarded duplicates of the joint Letter of the Agents of the two states to each commissioner, with a letter signed by us copy whereof is inclosed (No. 2).[5] These Dispatches were covered to the address of Messrs. S. & R. Purviance of Baltimore with one letter to those Gentlemen copy whereof is inclosed (No. 3).[6] Copy of their answer is likewise inclosed (No. 4). The business in Congress upon the subject of our federal court has assumed a less amicable appearance than was expected—conformably to the agreement of the agents of the two states a copy whereof is inclosed (No. 5)[7] Congress on the 21st day of January proceeded to determine the Place where the Court should be holden, and Williamsburgh in Virginia was fixed upon by five States, there being nine on the floor; this determination is contained in the inclosure (No. 6).[8]

The advantage of this decision to Massachusetts will be readily understood, when it is observed that it furnished the Highest probability that those of the commissioners, who are of our Nomination by this measure would be induced to accept, as it fixed the court in the vicinity of their homes—the Agents of New York discovered this benefit, and to defeat it, preferred a memorial to congress, praying an alteration of their determination on this subject, copy of this memorial is enclosed No. 7.[9] We opposed the agency of Congress upon this memorial (without remarking upon the erroneous reasoning & statements it contains) on the ground, that the only authority Congress had upon this Subject in the present stage of it, was derived from the Agreement of the agents of the two states; and that in pursuance of that Agreement, Congress had made their award, which was conclusive to the parties. Although New York have been unable to induce Congress to annul their determination of the Place for holding the federal Court, yet they were in the Train of accomplishing their wishes, by an indirect effect of their memorial. The president apprehended that he was not at liberty to transmit the Official information to the commissioners,[10] of their respective appointments, and of the place fixed for holding the Court until Congress should take some resolutions on the memorial of the Agents of New York—this Opinion we could not discover the propriety of, but attempted in vain to alter. By a second agreement between the agents of the two States, it is determined "that if either of the commissioners shall not within two months next after congress shall have appointed a place for holding the court declare his acceptance of the trust, he shall be considered as not accepting thereof, and his place shall be supplied in the same manner as if he had expressly declined."[11] Seventeen days had elapsed after the appointment of the place for holding the Court, &

no information had been officially transmitted to either of the commissioners except Mr. Rutledge of their appointment. In this situation we judged that the interest of the state would justify us in forwarding attested copies from the secretary of congress to the commissioners of our nomination by a special express; and Major Story, whom we engaged for this purpose, sat out yesterday for Williamsburgh, where Mr. Wythe lives, & from thence, on his return, will call on each of the commissioners of our nomination, and also on Mr. Johnson & Mr. Harrison, for their several answers. This measure was attended with an expence, for the discharge whereof, we have drawn on the Treasurer Mr. Ivers for Two Hundred and sixty Mexican Dollars, and rely upon an order of the Legislature for the timely payment of our bill. We do not at present see any mode whereby New York can go off from this determination; although after the acceptance of the commissioners of our nomination, if it is agreeable to them, to come farther northward than Williamsburgh to hear the cause, we can discover no objection to our acceding to such a proposition; but then it must be a measure of mutual consent, and not the result of an acknowledged power in congress upon the subject.

We have been particular in our communication to the legislature upon this business, because we wished them to have every information touching a subject, which we do not esteem unimportant.

We inclose for the information of the Legislature the form of a Deed (No. 8) which we propose to execute for the cession of Western Territory.[12] To cede a less extent of territory than New York have ceded, we judged would be wholly impolitic at this period; to cede a larger extent if we had no other objections might appear like an attempt to influence the federal court in our expected Trial; we therefore adopted, as a line wholly free from exception, the same western boundary which New York made, in their cession to the United States. The confidence of the Legislature placed in their delegates upon this subject, is a painful one to discharge; the business not requiring an immediate execution, and being so very important, we thought it our duty to communicate to the Legislature the extent of Territory we proposed to cede, and afterwards to wait a proper time for their instruction relative thereto. If we receive no additional instruction upon the subject during the present session of the Legislature, we shall presume that the proposed cession meets their approbation, & will proceed to execute the deed.[13]

We inclose likewise copies of an instruction from the Count Vergennes to Monsieur Marbois, the Chargé dé Affairs of France, with it's inclosures; these Papers were communicated to us by Monsr. Marbois, as will appear by his Letter addressed to us, and prefacing the inclosure (No. 9):[14] it is only necessary for us to add that our answer to Monsr. Marbois has been that we would transmit to our Legislature

copies of all the papers, and wait their instruction what answer touching the same we should return to him.

The extracts from the Letters from the foreign ministers communicated by the President of Congress to his excellency the Governor,[15] are of a nature, and importance, that require no observations from us: the Legislature must feel the force of the remarks which they contain.

We hope the establishment of the board of Treasury and the late appointment of commissioners named in the inclosure No. 10 will have a happy effect on our money affairs,[16] and remove all jealousies on that subject in every part of the union.

We are constrained to point the attention of the Legislature to a notification, in the Boston Gazette printed by Powars & Willis, which has been reprinted in the Gazettes of other States, announcing Mr. Richard Soderstrom as consul of the Swedish nation (duly commissioned,) at Boston in the *commonwealth* of Massachusetts.[17]

The sixth of the articles of confederation declaring that no state without the consent of the United States in congress assembled, shall enter into *any conference, agreement,* alliance or Treaty with any King, Prince or State and the Ninth of the said articles vesting the sole power of entering into Treaties and alliances in the United States in Congress assembled, it hath been heretofore supposed that the authority in the first instance of passing acts of recognition of the quality and character of consuls was exclusively vested in the United States in Congress assembled.

The Exequatur of the quality of Mr. Soderstrom, published by the authority of his excellency governor Hancock (Mr. Soderstrom not having been announced to, or recognized by, the United States in congress assembled, in any quality, or character, of consul) has been remarked on here, as a procedure adverse to the principles of confederation; and may induce some act of congress upon that subject.

It therefore becomes our duty to inform ourselves of the sentiments of the Legislature upon this subject in good season, lest our private opinions should lead us to concur in measures that might be in opposition to the sentiments of the state we have the honor to represent, & whose determinations when known must constantly govern our conduct.

We shall continue to make such communications to the Legislature, from time to time, as our Duty shall point out, & their interest require.

We have the honor to be, with the highest consideration, Gentlemen, your very humble servants

E Gerry Geo. Partridge } Delegates of
S. Holten R. King } Massachusetts

RC (M–Ar: Revolutionary War Letters). Written by Rufus King and signed by King, Elbridge Gerry, Samuel Holten, and George Partridge. Addressed: "The Hon'ble the president of the senate, & the hon'ble the Speaker of the House of Representatives of Massachusetts."

[1] See *JCC*, 27:696.

[2] In this November 10, 1784, "instruction," which is in PCC, item 65, 2:347–48, the Massachusetts Assembly had asked the delegates "Whether it will consist with the treaty of Peace . . . for the Legislature of this Commonwealth to pass an Act debaring british subjects and [exiled loyalists] . . . from recovering any interest which may be supposed to have accrued during the war, on debts contracted before the war," and to ascertain Congress' "sense of the meaning of the words, 'bona fide debts' as mentioned in the fourth article of the treaty." The matter was referred on January 17 to a committee consisting of Charles Pinckney, Samuel Hardy, James Monroe, William Samuel Johnson, and Zephaniah Platt, which was renewed on August 19, but no record of the committee's work or evidence that the matter was taken up in grand committee survives in the PCC. See *JCC*, 28:6n, 29:649n; and PCC, item 186, fol. 176, item 190, fol. 60.

[3] This was apparently an extract from the commissioners November 11, 1784, letter to Congress, from which the "injunction of secresy" was lifted January 27 "so that the delegates may send extracts to the legislatures of their respective States." See *JCC*, 28:23n; and PCC, item 188, fol. 3.

[4] See Massachusetts Delegates to the Massachusetts Governor and Council, February 7.

[5] See Massachusetts and New York Agents to James Monroe, December 28, 1784.

[6] See Massachusetts Delegates to John Rutledge, et al., January 14, note 3.

[7] See *JCC*, 27:709–10.

[8] *JCC*, 28:13.

[9] See New York Agents' Memorial, January 26.

[10] It seems apparent that this was President Richard Henry Lee's personal decision, for Secretary Thomson on February 4 had already sent him "to be forwarded 9 Copies of the Appointt. of Commissioners or Judges for determing the Controversy between the States of Massachusetts & New York as enterd on Journal 24 Decemb 1784." See Charles Thomson's Memorandum Book, February 4–28, note 3.

[11] This precise agreement has not been found, but for its predecessor which the New York agents had initially balked at signing, see Rufus King's Proposed Letter to Congress, January 22, 1785.

[12] A copy of this deed of cession, which was submitted to Congress by the Massachusetts delegates and referred to committee on April 4, is in PCC, item 30, fols. 609–10. *JCC*, 28:231n.

[13] The Massachusetts Assembly's March 17 act authorizing the delegates to proceed with this cession, is in PCC, item 74, fols. 217–20. For the committee report on Massachusetts' cession and its adoption on April 18, see *JCC*, 28:262, 271–73.

[14] Not identified.

[15] See Richard Henry Lee to the States, January 21.

[16] *JCC*, 28:18.

[17] For the stir caused by Massachusetts' announcement that Soderstrom had been received as Swedish consul at Boston, an action the secretary for foreign affairs deemed an exclusive Continental prerogative, see Charles Thomson to John Jay, March 2, note 1.

Virginia Delegates to Patrick Henry

Sir New York Feby. 13th. 1785.

Having received no late dispatches from Your Excellency, we are of course ignorant what part of ours, have reached you, or the Council. We will however begin with the resolutions which respect the erection of fœderal buildings at the falls of the Delaware, and the intermediate residence of Congress here.[1]

When the question was first brought forward for erecting, a fœderal town it was the wish of our delegation to decline a decision on it for the time, and pursue the business of the union, either where we were; at Philadelphia; or in New-York; to either of which places we were willing to adjourn. But in pursuit of this course, we had not the assistance of a single State, the delegation of Maryland being absent.

The two ends of the Continent had heretofore, upon this subject, been drawing in different directions, the eastern and middle States in favor of the Delaware, and the southern in favor of the Potowmack. The division upon this question, since they left Philadelphia, had induced the unsettled and vagrant system which has taken place; a system so destructive of confidence among the citizens of the Union, and dishonorable to the fœderal councils throughout the world. The contest had now come to a point; whether this should continue to be the case, and the Congress move alternately to Annapolis, and Trenton annually, and carry on the fœderal buildings at both places at the same time, or no buildings at all, under the resolution of Princeton; or come to other resolutions, changing those arrangements, were the questions before us; questions too which were forced upon us, from every quarter of the Union. The only prospect for obtaining a decision in favor of Georgeton had depended on the support of the Southern States, and we soon had the mortification to find, that they had given it up. By them it was urged that the object of the southern Gentlemen was, when they left their States, to move to a northern climate; that they generally visited N. York, N. Port and Boston; that by water, their passage was as easy to either place, as to the Chessapeake: that they had no object to serve by a situation on the Chessapeak, and that they perceived no great fœderal end, which could be attained by it for the present, at least none to occasion a longer delay, or that would counterbalance the injury arising from the present state. This was the language of Georgia, South-Carolina and one of the members from North-Carolina (there being but two on the floor), and of all the States eastward of Maryland. There were then nine States in Congress, eight of which held this opinion, and New-Hampshire and Connecticut were daily expected. In this situation it was proposed "as inexpedient to erect for the present more than one fœderal town" and to this we agreed. It was then proposed "to appropriate 100,000 dollars to this purpose," and for this eight States were decidedly in the affirmative. The situation then became more interesting to Virginia. The only question before us was, shall we frustrate what the sense and voice of the union require, frustrate it too only for a few days, for upon the arrival of Connecticut or New-Hampshire, it will be carried without us, or accede to a measure which they all think so necessary for the general interest? And we conceived that the great principles upon which we entered into the confederacy, a respect for the harmony and inter-

ests of the union, and a regard for the character and honor of our own State, should determine us to pursue the latter course.

The next question was "where shall the town be erected." We had, you perceive, before this lost all hopes of Georgeton, but we thought it our duty to put the question on it, for which we had only the State of Virginia. It was then carried in favor of the falls of the Delaware. Many arguments occur to us, in favor of a fœderal-town. If we reason from experience, we are inclined to think many disadvantages must arise, from the residence of Congress in a great commercial city, a city more especially, under the jurisdiction of a particular State. We suspect that inconvenience hath, in some instances, been already felt from this source. Parties appear to have been formed at particular œras, for and against particular characters, who were unworthy of parties, in a much less dignified assembly. In all great bodies there are usually some men, who are easily won on by little considerations, and the nature of the fœderal government is so constructed, that it is much more difficult to carry than obstruct a measure. Those then who are under an improper influence, from whatever source it may arise, are always the most obstinate: they will hold to their point, while those who seek only the public good will make concessions to carry a measure, which they think of importance to the general interest. With pain we conceive we have seen these remnants of parties, contending with more warmth than the public interest required in favor of measures, which derived their consequence, merely from the circumstance of their having been an object, with one of the sides. And we have been also happy to find, that Congress had so far extricated themselves from their influence, by moving out of their reach, as to weigh the measures merely in the scales of reason, while they looked with equal indifference upon those, who espoused or opposed them from other considerations.

In a great commercial town, it is almost impossible, to keep any thing a secret. The Ministers of other powers have their eyes upon us, and we have reason to suspect that our transactions of the most important, and secret nature, do not long remain secret to them. If this is effected by the too frequent intercourse which takes place under the present state, or the indiscretion or villany, of those intrusted with them, it will be more easily discovered and prevented in a fœderal-town. Indeed every consideration of interest, propriety and dignity urge with us in favor of the measure. Upon what terms it is to be erected, is also an interesting consideration.

The delegates of Jersey inform'd Congress that their State would advance a considerable sum, and those of Pensylvania did the same, provided it should be on their side. Although it might be improper to accept it as a gift, still we conceive the same objections do not exist, as a loan. We borrow from foreigners, and with more propriety may we do

it from each other. With respect to the temporary residence, we were indifferent, between this place and Philadelphia. We knew not how our residence at either place, could essentially affect our State, farther than it respected the members in Congress; and upon general principles we thought *this* entitled to the preference. The province of Canada is at present in possession of the furr-trade. Our first exertion should be to draw it within the States, and before any competition can arise between the communication down the Mohawk, thro' this port, and the Potowmac, we shall have removed hence to the falls of the Delaware.

Upon the arrival of Mr. McHenry from Maryld. he moved for a repeal of the ordinance of Trenton but was not seconded. So soon as his Colleague joined him, he moved for a suspension of the measures necessary to carry it into effect;[2] for this purpose he introduced a resolution with a long preamble, containing a very illiberal censure upon the proceedings of Congress in that instance, as well as upon the measure of a fœderal-town. All Congress seemed desirous to keep it from the journals, and at length succeeded as to the preamble, the resolution was negatived.

Having failed doing any thing effectual at Trenton, we conceived this measure had taken its direction. Our friends of Maryland should then have been upon the floor to have aided us, and why now fill the journals with vain and fruitless opposition, but to disseminate an opinion of divisions in our councils, and throw contempt on our government.

We have the honor to be, with the greatest respect and esteem, Your Excellency's most obdt. and most hble sts., S. Hardy

Jas. Monroe

Tr (Vi: Continental Congress Papers).

[1] See *JCC*, 27:699–705.

[2] See Maryland Delegates to William Paca, February 11, note 2.

Elbridge Gerry to John Adams

My dear sir, New York 14th Feby 1785

This will be delivered by Mr Jarvis lately of Boston, but formerly of this City, Son in Law to Mr Broom, whom You probably know.

I have but two of your Letters unanswered; one of the 27th of June last, the Objects of which have I think been fully complied with, & the other of Novr 4, in which I find no Mention of a Letter I wrote You from Philadelphia in July last.

Congress met in November at Trenton, but the Legislature of New Jersey being there at the same Time, & the Members of Congress

badly accomodated, the Struggle was renewed respecting an adjournment to Philadelphia, & finally terminated in an Ordnance to appoint Commissioners, Vizt General Schuyler, Mr R Morris & General Dickinson, to purchase a District of two Miles square on the Banks of the Delaware not more than eight Miles above or below Trenton, for a fœderal Town, & to erect buildings for the use of Congress & their Executive officers: & New York is to be the temporary place, or rather the place of temporary Residence for Congress, till the Buildings are erected—each state, it is supposed will provide Buildings for its Delegates.

The Controversy between Massachusetts & New York respecting their western Claims, is to be determined by a fœderal Court, which is to hold it's Session at Williamsburg, & by Agreement of the Agents to consist of Judge Smith & Mr Patterson Attorney General of N Jersey, Mr Reed of Delaware, the late Governor Johnson, And Mr Harrison chief Justice of Maryland, Mr Wythe, Colonel Grayson & Colo Monroe of Virginia & Mr John Rutledge of So Carolina. June is the appointed Time for holding the Court.

Mr Jay has taken the Oaths of Secretary of foreign Affairs, & Mr Osgood of Massachusetts, Mr Walter Livingston of this City & Mr Gervais of Charlestown So Carolina are elected Commissioners of the Treasury, & General Knox or Colo Pickering will probably be at the Head of the War Department.

With Respect to foreign Affairs: a Report is before Congress, for accepting agreeable to his repeated Request, Doctor Franklins Resignation.[1] Mr Jefferson will I think be his Successor. You & Governor Rutledge are in Nomination for the Court of London, & I presume the prospect is not in Favour of the Election of the Latter.[2] Who will be sent to Madrid I know not, possibly Mr Rutledge. The last Loan of Holland is ratified & I presume You will receive by this Conveyance official Information thereof—how far it [*is*] possible to seperate foreign from domestic Debts so as to give a preference to the paymt. of the Interest of the former, I know not, but an Attempt of the Kind would produce a great Clamor. The States to the Southard of Delaware would gladly adopt the Measure & perhaps would then avoid Contributions to pay the domestic Interest, because they have very little in the fœderal Funds; but the Citizens of the other States would probably be so dissatisfied as to withhold Taxes or apply them to the payment of the Interest Due to themselves. We are greatly embarrassed with the Conduct of Spain & Great Britain but our Ministers to those Courts, with the Instructions of Congress on the interesting Subjects of their respective Measures will I hope disperse the Clouds which at present surround us. I am not of your opinion respecting either the policy or Necessity of having Ministers perpetually at any of the Courts of Europe. I cannot be of that Opinion because, the Reason of it is not within my perception. I never Wish to see Congress surrounded by

foreign Ministers. I never shall I hope see the vicious policy of foreign Courts introduced to ours, nor the latter, distracted in their Councils & Duped by the artful Representatives of foreign powers, instead of being the wise & united Representatives of united States. The Subject is copious, I wish not, in a Letter to my Friend, to discuss a Matter that I find is disagreable to him, & therefore shall let it rest for the present.

The question respecting *Salaries* was agitated in Congress upon a Remonstrance from Massachusetts, respecting *their* Excess, & they were reduced on the principle that Articles of Subsistence, since the peace were also reduced. How far the proportion is just I cannot determine, but think it would not be easy to enhance them at present.

Pray give my Regards to Mr Jefferson & inform him that I wrote him a Letter from Boston in July last by the Way of London.

Governor Hancock has resigned, Thanks be to ———.

Our Friend Mr Reed late Governor of Pennsylvania is dangerously ill.

My Respects to the Ladies & be assured I am on every occasion your Friend, Sincerely, E Gerry

RC (MHi: Adams Papers). Endorsed by Adams: "Ansd 25 Ap. 1785."

[1] See John Jay to Benjamin Franklin, December 13, 1784, note.

[2] These nominations had been made on January 31; Adams was elected to the post February 24. *JCC*, 28:25n.2, 98.

Richard Henry Lee to Patrick Henry

Dear Sir. New York, February 14, 1785

Your favour of December 9th,[1] has just now been put into my hands, together with the printed papers that you were pleased to send me, but I have not yet had the pleasure of finding Colonel Grayson here.[2] I do sincerely wish to see my country flourish and be happy, so that if by any means in my power, I can contribute to this most desirable end, I shall certainly exert myself. No time or circumstance, can ever force from my mind, the sincere affection that I entertain for the original friends, to the just rights of America, whose wise and firm perseverance, has secured to the United States at least the blessings, without which, there is little difference between men and brutes. The ill state of health that I contracted at Richmond in May 1783, still afflicts me, which, added to the business and the ceremony of my present office afflicts me much, and must, necessarily prevent me from such frequent communications, as otherwise I should undoubtedly make. With respect to official intelligence from Europe, we have none of great consequence; Mr. Adams thinks, that the negotiations of this winter will probably accommodate the difference between the emperor, and the United Netherlands, and our charge des affairs at

Madrid, informs us that the court of Spain has appointed Mr. Gardoque, to come here as their minister and we expect him daily.[3] His purpose is to treat of commerce, and territorial limits. Our ministers at Paris are generally proposing treaties of amity and commerce, with all the European commercial powers, and they receive answers very civil, but as yet no treaties formed, except such as you have seen notified from Congress. As you have been pleased to desire my reflections upon the state of affairs, I will give them freely, as they appear to me. The courts with which we are most immediately concerned, are Spain, England, France, and Holland; the two first, because we border on them, and because we have with each most pressing difficulty; the two last, because we are indebted to them both on the score of money lent, and friendship in other ways conferred. Spain is proud, and extremely jealous of our approximation to her South American territory, and fearing the example of our ascendency upon that country, is grasping forever at more territory, by way of security; and hoping to derive benefit to her system, from our want of system, our discord and inattention. Hence we may expect from Mr. Gardoque, an apparent firm demand of the exclusive navigation of the Mississippi, with some tempting commercial offers, to procure our assent to the loss of this very valuable navigation. But probably, the apprehension of a quarrel with us, and the effect of it upon their South American possessions, may secure to us, if we are wise and firm, the free navigation, to be finally agreed to by Spain; with Great Britain, our difficulties will be greater; equally proud with Spain, and much more powerful, with fewer reasons to fear a rupture with us, and more to hope from a successful one; she remains sullen after defeat, and seeming to wish for just provocation to renew the combat. The passions of states, and of individuals, are not very different; for what are the former, but a compound of individuals, and of course carrying into the composition, those leading principles that characterize the parts. In private life, a wise and fortunate victor, over great strength, would, in all his conduct with the vanquished, show a respectful civility, avoiding every display of supposed superiority, and carefully shunning every appearance of giving cause for fresh offence. It seems to me, that if the conduct of America, had been founded on such principles our magnanimity must have been confessed, and that the seeds of future discord, would not have been so effectually sown as I fear they are. Both countries have been to blame, and transgressions against the terms of peace were on each side coeval, so that whilst we charged them with removing the slaves from New York, they pointed to the violence with which their friends were everywhere treated, with the detention of their debts, and with actions here brought against those who possessed houses in this city, whilst it was in their power by the fortune of war. This again is followed by their detention of the western posts, by their

encroachments on our north-eastern boundary about St Croix, and by their unfriendly interruption of our commerce, and lately by arresting in London a merchant of Philadelphia for debt, because his privateer had taken, during the war, a vessel belonging to the complainant. This is an unpleasant state of things, and if temper and wisdom are not employed on both sides, it is not difficult to foresee a renewed rupture ere long. The principles of republics being virtuous, and their conduct therefore squaring with justice, they rather negotiate differences than fight them. Monarchies depend too much upon the *ultima ratio regum*. When we have acted fully up to our principle, we shall be upon strong ground to combat theirs. But the cause of virtue, without proper means to support it, must often fail. These considerations lead me to wish most sincerely that my country may quickly cease to give the smallest cause for just offence, and that our rulers would engrave upon their minds, the wisdom of the inscription upon the arsenal of Berne in Switzerland—That people happy are, who, during peace, prepare the necessary stores for war.

It is in vain for us to expect this from the United States—to be secure, each state must provide amply for itself; and whenever Great Britain shall find us just, temperate, and prepared, she will be extremely cautious of hostile aggressions, or of unjust treatment of us. If this reasoning is right, how will your excellency's administration be marked for wisdom, if effectual attention be paid to the collection and preservation of military stores; I have here been informed, by an officer of rank in the continental artillery, at the surrender of York, that several pieces of our artillery were retaken from the enemy, and that they are now at Philadelphia; it deserves to be considered, whether these are not subject to be returned to us, upon demand of the state: there were also several pieces of our artillery, thrown into Pamunkey river, near New Castle, in 1781, and some other pieces fixed in the ground, and in vain attempted to be destroyed by the enemy. Baron Steuben lately sent us the enclosed letter, which I have now the honour to transmit; his published plan, is only an outline, but the details by which that plan is to be executed, he professes himself willing to communicate, when the state of Virginia shall call upon him, for them. The sum of this, (I fear, too long digression, upon our relative situation with Great Britain), is, that being secure of having done right, we should be fully prepared to meet aggressions from that quarter; a sentiment founded upon an attentive consideration of the correspondence, between the British generals, during the late war, by which it is not difficult to discover, that experience had instructed them in this truth, that a war against the United States, had better be pushed in full force at first against Virginia. I have before observed to your excellency, that Mr. Adams thought we might expect a compromise between Holland and the emperor, from the negotiations of this

winter; it is certain, that every influence of France, will be used to effect the compromise, for reasons very obvious: but, whilst the emperor demands a preliminary, that the Scheldt shall be opened, and Holland as peremtorily says, that it must not, it remains possible, but not probable, that an accommodation may take place: if it does not, the powers on the continent will be engaged in a most expensive war, whilst, as it seems, Great Britain will remian neuter, and by peace, preparing herself for war, render her hostile views, more dangerous to us. The apprehension of this difficulty, on the part of our friends, has probably produced the strong intimations that we must be exact in the payment of our interest upon the foreign loans; and the same reason does indeed call upon the United States, in the strongest sense, to be punctual in their payments, that those who have assisted us, in the day of our distres, may not suffer for their generosity.

The attention of Congress, has been applied to our western concerns, as your excellency will see by the treaties made with the Six Nations, and the western Indians;[4] in the latter, the Shawanese are not included, but their being prevented by some active British emissary, from coming to the latter treaty, will probably not be attended with ill consequences, as they are very much under the control of the Six Nations, and of the Wyandots, their powerful neighbours. The spring will open further treaties with the more southern tribes, north-west of the Ohio, and also, on the south-eastern side upon ours, and the frontiers of North and South Carolina, and Georgia.[5]

Judging from myself, I suppose your excellency will be tired with the length of this letter, and if you will pardon it, I promise you, that I will not again transgress in the same manner. I have the honour to be, with sentiments of esteem, respect, and regard, sir, your excellency's most ob't serv't, Richard Henry Lee

MS not found; reprinted from *Memoir of the Life of Richard Henry Lee,* 2:56–60.

[1] Governor Henry's letter of January 9, rather than December 9, is in Henry, *Patrick Henry,* 3:265–67.

[2] Henry explained that delegate William Grayson, who intended to leave Richmond on January 10, had agreed to deliver the governor's letter. Grayson, however, did not present his credentials to Congress until March 11. *JCC,* 28:135.

[3] William Carmichael had notified Congress of the appointment of Don Diego de Gardoqui as minister to the United States in a letter of October 12, 1784, which had been read on February 10. Its enclosures—copies of Spanish foreign minister Floridablanca's October 2 letter to Bernardo de Gálvez and his October 7 letter to Carmichael—were referred to John Jay for translation. The translations were read this day and all three documents referred back to Jay who reported on the 15th a draft of a letter to Carmichael instructing him to notify the Spanish court that Gardoqui would be received "with all the Distinction and Respect which the Dignity of his Sovereign and the Nature of his Commission may demand; and that the great Business he is sent to negociate with the United States, shall be conducted on their part with the greatest Candor and Frankness." Congress approved the letter immediately and directed Jay "to take order." See *JCC,* 28:55n, 64n, 67n; PCC, item 81, 1:13–16, item 88, fols. 388–93, item 97, fols. 17–21; and *Diplomatic Correspondence, 1783–89,* 3:287–90, 292.

[4] For the treaty negotiated with the Six Nations at Fort Stanwix in October 1784, see Richard Henry Lee to James Madison, November 20, note 1. Two of the commissioners who negotiated that treaty—Richard Butler and Arthur Lee—were joined by George Rogers Clark in meeting with western tribes at Fort McIntosh on the Ohio River in December and January. By January 21 they had reached an agreement with the Wyandots, Delaware, Chippewas, and Ottawas which they enclosed in a January 28 letter from Fort Pitt announcing that all Indian claims to land "as far west as the great Miami on the Ohio, and the Miami or Omi which empties into the lake Erie" had been extinguished. They recommended, however, that they continue negotiations with the tribes even farther to the west at Fort Vincennes in the spring. Congress referred the letter and treaty this day to a committee consisting of William Samuel Johnson, James McHenry, David Howell, James Monroe, and Hugh Williamson which reported March 7 that such a treaty should be held and recommended certain conditions and a meeting date of June 20. The report was issued as a broadside for the delegates' consideration, amended on March 17, and adopted the 18th after Rhode Island successfully blocked a move to refer the report to the committee considering the ordinance for "ascertaining the Mode of locating lands." See *JCC*, 28:66n, 125–26, 169, 172–73, 178–81, 29:917; and PCC, item 30, fols. 271–76. See also Charles Thomson to John Dickinson, March 26, note. Both the Treaty of Fort Stanwix and the Treaty of Fort McIntosh were entered on the journals June 3. *JCC*, 28:423–26.

[5] For the appointment of commissioners to negotiate with the southern Indians, see South Carolina Delegates to Benjamin Guerard, January 25, note 8.

Richard Henry Lee to George Washington

Dear Sir, New York Feby. 14th 1785

In reply to your favor of December the 14th I had the honor to write to you from Trenton,[1] and I mentioned an enclosed letter from you for the Marquis Fayette, which coming to hand after the Marquis had sailed, I wished to know your pleasure, whether I should forward it to France or return it to you. I have not been honored with your commands upon that point. Soon after my arrival in this city, I sent you one of the few pamphlets addressed to the President of Congress by Doctor Price—it will give me pleasure to know that you have received it.[2] The commissioners for treating with the western Indians did yesterday present to Congress the Treaty that they have made with the Wyandots, Delawares &c. A copy of the Treaty I have now the honor to enclose you.[3] The Shawanese, you observe, are not there—it seems that persons, disaffected to us, prevented them from meeting the Commissioners. The Wyandots being stated as their superiors may perhaps prevent any mischief from the Shawanese not being included in this Treaty. Another Treaty will be held with the more Southern Indians in the spring or first of the summer.[4] The policy seems to be a good one, of enclosing as it were, the Indian nations within our acknowledged territory. It will probably tend to civilize them sooner, and by preventing intrigues with them, render them more certainly our friends.

The Court of Spain has appointed Mr. Gardoqui their Chargé des affairs to the United States, and we have reason soon to expect his arrival.[5] We are to apprehend a very firm *ostensible* demand from him, of the exclusive navigation of the Mississippi. His secret orders touching an ulterior agreement may be another thing.

Time and wise negotiation will unfold this very important matter, and I hope may secure to the U. S. and those Individual states concerned, the great advantages that will be derived from a free navigation of that river.

My respects, if you please, to your Lady, whose health I hope is perfectly reestablished.

I have the honor to be, with the truest respect and esteem, Sir, your most obedient and very humble servant, Richard Henry Lee.

P.S. I was honored with your favor of the 8th of Feby. with its enclosures after the above letter was written. I will shortly reply to its contents, and your letter for the Marquis shall be forwarded to France. R. H. Lee

RC (DLC: Washington Papers).

[1] See Lee to Washington, December 26, 1784.

[2] See Lee to Washington, January 16, note 2.

[3] See the preceding entry, note 4.

[4] See South Carolina Delegates to Benjamin Guerard, January 25, note 8.

[5] See the preceding entry, note 3.

Charles Pinckney to Benjamin Guerard

Sir, New York February 14th, 1785.

Since we had the pleasure of writing your Excellency Congress have received official intelligence that the Court of Spain have appointed Mr. Gardoqui as his Representative to the United States. In return we shall soon proceed to the election of a Minister to represent Us at Madrid—& as soon as instructions are agreed to, we shall also proceed to the appointment of a Minister to represent Us at the Court of London.

Two days ago we elected Commissioners to carry into immediate execution the ordinance for erecting fœderal buildings on the Delaware; the Gentlemen are General Schuyler, General Dickenson & Mr Robert Morris,[1] who will probably enter upon this business early in the Spring; I remain Your Excellency mo obt,

(signed) Charles Pinckney

[*P.S.*] Since writing the inclosed, Congress have just received the treaty formed by their Commissioners with the Western Indians, a copy of which will be transmitted as soon as possible.

A very serious demand is this morning made by the Chargé de Affaires of France of the delivery of Mr. Longchamp for an assault[2]—this is done in consequence of orders from the French Court, & will require very cool & delicate discussion on our part to conduct to such an issue as to prevent a Coolness between the two powers.

We have referred the papers to the secretary of foreign affairs, & as soon as he reports we shall proceed to act upon this business—it will be some time before Congress will be able to come to any decission, but as soon as they do, your Excellency will be informed of it, & of other important matters now in agitation.

The removal of Congress to this place has hitherto prevented the printing the Journals, but we hope to be able to furnish your Excellency with them by the next time we write—the Journals of the Committee of the States will accompany Mr Reads letter[3] which goes by this Vessel.

I am to mention that our Credentials are nearly expired & that it will be necessary to send your present Delegates a power to sit untill a new Delegation shall be announced.[4]

I remain &ca. Charles Pinckney

Tr (ScCoAH: Governor's Messages).

[1] See Charles Thomson to Dickinson, Morris, and Schuyler, this date.

[2] For the action taken on this "very serious demand," see William Henry to George Bryan, February 26, note 2.

[3] Not found.

[4] See Pinckney to Guerard, December 14, 1784, note.

South Carolina Delegates to Benjamin Guerard

Sir, New York 14th. February 1785.

The last letter from the Delegation bore date the 25th Ulto. & contained as full a State of the situation of public affairs as cou'd at that time be presented.

We have not been favoured with any advices from Carolina since that period, nor has any thing very material occurred here, except that after long Debates & a full consideration of the Subject Congress have resolved to send a Minister to the Court of Great Britain, and the appointment will probably be soon made.

We have also received advices from the Charge des Affaires of the United States at the Court of Madrid that his Catholic Majesty has appointed a Mr. Gardoqui his Minister Plenipotentiary to the United States, & as we learn further, that he was very shortly to sail from Cadiz for Philadelphia in a King's Frigate, he may be soon expected to arrive in these States.

The appointment of Commissioners to Erect federal buildings has also taken place, and General Philip Schuyler, Mr Philemon Dickenson & Robert Morris Esquire, have been elected.

We have the pleasure further to add that the Commissioners of the United States for negociating Treaties with the Indians have returned to Philadelphia after perfecting One with the Western Tribes, it is not yet laid before Congress but is hourly expected, & shall be forwarded to your Excellency as soon as it comes to hand.

Advices by the last English & French packet bring us nothing very particular on the Subject of the Emperor's differences with their high Mightinesses. A mediation appears to be offered by several powerful Courts & tis hoped will bring the dispute to an amicable adjustment.

We are with the greatest respect & regard, Sir, Your Excellency's Most Obt. & most hble. servts,

(signed) Jacob Read for { Jacob Read / John Bull / Charles Pinckney }

Tr (ScCoAH: Governor's Messages).

Charles Thomson to Philemon Dickinson, Robert Morris, and Philip Schuyler

Sir New York, February 14. 1785

I have the honor to enclose you an Act of the 20th December 1784, an Ordinance passed the 23d for carrying the same into effect, and the appointment of Commissioners pursuant to the said ordinance.[1] I trust your well known zeal to promote the interest of the Union will induce your acceptance of this office, of which you will be pleased to notify the United States in Congress assembled as speedily as possible.[2]

With great respect I have the honor to be Sir, Your most obedient & most humble Sert. C.T.

LB (DNA: PCC, item 18A). Endorsed: "Genl P. Schuyler, declines 10 March. Honble. P. Dickinson. Robt. Morris Esqr. John Brown elected 16 March, wrote to him 17. 21."

[1] For Thomson's enclosures, see *JCC*, 27:696, 699–705, 28:55, 58. The December 20 "Act" undermined Congress' decision of October 21, 1783, to establish two sites for a federal capital by declaring it inexpedient "to erect public buildings for their accommodation at more than one place," and that of December 23 provided for the appointment of three commissioners "with full powers to lay out a district, of not less than two nor exceeding three miles square, on the banks of either side of the Delaware, not more than eight miles above or below the lower falls thereof." Philip Schuyler was appointed one of these commissioners on February 10 and Philemon Dickinson and Robert Morris were appointed to the two remaining positions on the 11th.

[2] Dickinson and Morris immediately reported their acceptance of this appointment in letters of the 18th, but Schuyler declined the appointment on March 3. John Brown

of Providence, R.I., was subsequently appointed to the post on March 16, but he too declined the appointment in a letter of May 19. See PCC, item 78, 4:477–80, 8:105–8, item 137, appendix, fols. 377–79, item 153, 3:637–39; and *JCC*, 28:134–36, 165. For the effort to delay the appointment of a commissioner in the place of Schuyler, and David Howell's efforts to secure Brown's acceptance of the post, see William Samuel Johnson to Jeremiah Wadsworth, March 26; David Howell to Jabez Bowen, June 24; and Kenneth R. Bowling, *The Creation of Washington, D.C. The Idea and Location of The American Capital* (Fairfax, Va.: George Mason University Press, 1991), pp. 68–69.

Charles Thomson to John Lewis Gervais and Samuel Osgood

Sir New York February 14. 1785

I take the liberty of enclosing you a duplicate of the Ordinance for putting the Treasury into Commission and of the election of the Commissioners of which you are One.[1] As it is of importance to the Union that the Board should meet and the business of the treasury be resumed as soon as possible, I may venture to assure you that your acceptance of the office and repairing to this place with all possible expedition to enter upon the duties of it will be highly agreeable to Congress. I shall be much obliged if you will honor me with an Answer by the Speediest Conveyance.[2]

With great respect, I have the honour to be, Sir, Your most obedient & most humble Sert. C. T.

LB (DNA: PCC, item 18A).

[1] The enclosed May 28, 1784, treasury ordinance, and January 25, 1785, resolution electing Gervais, Osgood, and New York delegate Walter Livingston treasury commissioners in the place of William Denning, Oliver Ellsworth, and Daniel of St. Thomas Jenifer who had declined their appointments, are in *JCC*, 27:469–71, 28:18.

[2] Gervais declined this appointment in a March 16 letter to Thomson which is in PCC, item 78, 10:481–86. For Osgood's objections to the conditions of the appointment (ibid., 17:365–72), which involved a bonding requirement imposed by Congress on February 3 not mentioned by Thomson but which was modified March 15 to secure Osgood's acceptance, see Rufus King to Elbridge Gerry, March 20, note 4.

Richard Henry Lee to Thomas Lee Shippen

New York Feby. 17. 1785. Acknowledges Shippen's letter of the 15th, received this day. "I delivered the enclosed Almanac to Mr. Hardy who returns you his thanks. Colo. Livingston delivered me your letter immediately on his arrival in this City, and I should certainly have answered it long before now, if I had not been prevented by ill health, and great pressure of business. You need not doubt my affectionate attention to you, and I rely upon your goodness always to attribute my

silence to good reasons. I am from all parts of the U.S. written to in my private capacity, so that I am at this moment at least 20 letters in arrear to my correspondents. To answer them all punctually would at once destroy my health, and prevent all attention to public business. I do assure you that the business, and the ceremonies of my office, are too much for my feeble state of health." Explains settlement of his accounts with Shippen's tailor and for transportation of his horses to Virginia. "I pray you my dear Sir not to forget my Gun & Sword that I left under your care. The first to be cleaned, and the locks to be put in order and prevented from falling at half bent. I wished to know the expence of refitting the Sword."[1]

RC (DLC: Shippen Family Papers). Lee, *Letters* (Ballagh), 2:336–37.

[1] In a subsequent letter of February 22 Lee adjusted his tailor and horse accounts and inquired about the repair of his chariot, and on March 3 he again inquired about the repair of his chariot, gun, and sword. Ibid., pp. 337–38, 340–41.

Charles Thomson to the Artificers, Tradesmen, and Mechanics of New York City

Gentlemen, [February 18, 1785][1]

I have it in Command to inform the Artificers, tradesmen and Mechanics of the City of New York, that their Cordial welcome and expressions of Confidence could not fail to be agreeably received by the United States in Congress assembled,[2] and that while Congress acknowledges the goodness of Divine Providence in concluding the American Revolution, they experience additional gratitude in contemplating the happiness of those who have suffered so severely by the Calamities of War.

LB (DNA: PCC, item 18A). Addressed: "To the Artificers, tradesmen and Mechanic's of the City of New York."

[1] For the date of this letter, see Thomson's Memorandum Book, February 4–28, note 28.

[2] The January 11 welcome "address" of the New York City artificers, tradesmen, and mechanics was read in Congress and referred to committee on January 20. PCC, item 43, fols. 343–46. For the committee's February 4 report and the resolution adopted on the 18th directing Thomson to acknowledge the thanks of Congress for this "cordial welcome," see *JCC*, 28:42, 86.

Charles Thomson to the New York Chamber of Commerce

Gentlemen, [February 18, 1785][1]

I have it in Command to inform you that the United States in Congress assembled have received with pleasure the address of so respectable a

body of Citizens,[2] that they are duly impressed with a sense of your dispositions to render the sessions of Congress convenient and Agreeable; and I am further directed to assure you that the extension and prosperity of trade shall not cease to be considered as intimately connected with the happiness and prosperity of the United States of America.

LB (DNA: PCC, item 18A). Addressed: "To the Corporation of the Chamber of Commerce of the State of New York. John Alsops Esqr Prest."

[1] For the date of this letter, see Thomson's Memorandum Book, February 4–28, note 27.

[2] This undated "address" from the New York Chamber of Commerce was read in Congress and referred to committee on January 25. PCC, item 43, fols. 351–53. For the committee's February 4 report and the resolution adopted on the 18th directing Thomson to signify Congress' pleasure with the corporation's address, see *JCC*, 28:42, 86.

Samuel Holten to Luke Webster

Dear Mr Webster.[1] New York, 19 February 1785.

I have been favor'd with your attention of the 2d, & forwarded the enclosed immediately.

I am sorry that a desire of mine signified to you, to write with freedom to me, should have produced the expressions in your former letter, which I could not approve of, and I submit it to your consideration, whither you could not have made me acquainted with the matter, without adding expressions that were exceptionable, & would have operated to your disadvantage if known. I make this a rule with me that it is but to speak & write in respectful terms as far as the subject will admit of altho' provocation may have been given to shew resentment; I still desire you to write with freedom, and can't but hope that notwithstanding all the difficulties you have to encounter, that you will not be left to do any thing unworthy of an honest man & a gentlem. and while I consider you in this light, I shall always be ready to give you every assistance in my power; and I would now ask you whether there is any thing you would wish to communicate to me, that you can't make me acquainted with by writing, for I can't conceive of any thing & you may be assured of my attention to what you write, & expect my answers. The last intelligence I had from home was the 15th of January, when all was well & that Polly had removed. I took notice of your kind request respecting my health, which is better.

I remain, with parental affection.[2]

FC (DLC: Holten Papers). In the hand of Samuel Holten

[1] Webster was Holten's son-in-law. See Holten to Webster, October 2, 1783.

[2] Little is known about Holten's relations with Webster, and his next two extant letters to him are quite perfunctory. "Dear Webster," he wrote on March 25, "I have been

favor'd with yours of the 9th. The inclosed directed to Mr Webster I forwarded by the last post. I now enclose you a letter lately recd. in one from your father. I have had no intelligence from home since my last. I remain, with affection." And on May 16 he wrote: "Dear Webster, I have been favored with your attention of the 23d of April, & noticed the contents. Yesterday I recd. the inclosed in a letter from Mrs. Holten, & I conclude it will give you as late intelligence as I have. I can't inlarge, at this time. Affectionately yours." The drafts of these are in the Holten Papers, DLC.

Hugh Williamson to George Washington

Sir New York 19th Feby. 1785

Application has been made to Congress lately by James McMechen who is connected with James Rumsey of Virga. in the newly invented Machinery for pressing Boats through the Water. Mr McMechen has laid before the Committee, to whom his Memorial was refer'd, a Certificate that you was pleas'd to give him respecting the Invention.[1] We observe your Opinion that "He has discovered the Art of working Boats by Mechanism *and small manual Assistance* against rapid Currents."

Though this Opinion is clearly in favour of the Invention the Committee have great Doubts whether Mr. McMechen has interpreted it fairly. He says that his Boat will by means of the Machinery and *without any manual assistance* ascend a *rapid Stream* and that the small manual assistance which you mention refers only to working the Boat *in dead Water.* If this is true the motion of the Boat depends on the adverse motion of the Stream and it's Speed must be as the resistance. The Committee would have presumed that the Progress of the Boat depended on the Mechanism, which being well contrived; the Boat with few Hands or with little force would go much faster either in a Current or in dead water than by help of any former Invention. But if it is true, as Mr McMechen alledges, that the Boat is forwarded by the Opposition of the Stream & that against swift Streams it does not even require the aid of manual Assistance the Case is essentially different and the Discovery extremely important. Mr McMechen we find expects a Patent for the Invention from the Legislatures of the several States, but he further requests that Congress would give him a large Tract of Land in consideration of the Benefit which the western Country must receive from his Boat. Certainly an Improvement so well calculated to promote Commerce and Agriculture as Mr McMechen supposes his Boat, ought to be liberally encouraged but we fear that he colours too high, mistakes the Facts or miss-represents them.

It is with much Reluctance I give you any Trouble on this subject but being very desirous to know in what Rank this Improvement should be placed I am to request your Opinion on this Position *that the Boat stems the Current and requires least manuel help where the opposite Stream is most swift,* for such Powers does he ascribe to his Boat.[2]

You have probably heard some Time since that the Indian Commissioners have finished the second Treaty. The last was held with the Wiandot, Delaware, Chippawa and Ottawa Nations. The Shawnees did not attend.

It is difficult even at this Hour to say how much Land is purchased for the Use of the United States. By the first Treaty the six Nations ceded all to the Westward of a certain Line, say to the west of Pensylvania. By the second Treaty the Indians first mentionned have reserved a Quadrangular Piece of Land viz Beginning at the Mouth of Cayahoga thence up the River to the Portage to the Tuscarawas Branch of Muskingum, then down that Branch to the Forks above Fort Lawrence, then West to the Portage of big Miami which runs into the Ohio, then along the Portage to the great Miami or Omai, thence down to its Mouth, thence along the south Shore of L. Erie to the Mouth of Cayahoga. Those Indians cede all to the East, South & West of the reserved Tract. Probably there may be 12 or 14 Millions of Acres clear of any interfering Claims of Indians to the West or North. I presume Congress will soon try whether they can agree on the best mode of sinking Part of their Debt by this Land.

I have the Honor to be with the utmost Regard, Sir, Your obedt hble Servt Hu Williamson

RC (NIC: Noyes Signers Collection).

[1] Rumsey had successfully demonstrated a model of his invention for Washington in the summer of 1784 and had sent to McMechen a copy of the general's September 7 testimonial or certificate which he had obtained at that time, for which see Williamson to Thomas Jefferson, December 11, 1784, note. For McMechen's 1783 proposal for a mechanical boat, see these *Letters*, 20:395n.1.

[2] In his March 15 reply Washington assured Williamson that he had witnessed "the actual performance of the model in a descending stream, before I passed my certificate, & having done so, *all* my doubts were done away." See Washington, *Papers* (Abbot), Confederation Series, 2:69, 439–40.

David Howell to Unknown

Dear Sir, New York Feb. 20, 1785.

You will receive enclosed a little pamphlet on the Test-law of Pennsylvania, written by Dr. Benjn. Rush.[1] That State is now in a great ferment, And there are so many points on which they split that the confusion is carried to great lengths. Some are for the Constitution, & some against it. Some for their *funding bill* & some against it. Some for *fœderal* & some for *state funds* & some for neither funds nor payment. Another division is *for* & *against* the test-law, but this cannot last long. All these collisions & discussions are perhaps the natural consequence

of the *heterogeneous* materials of which that State is so remarkably composed, and will I doubt not eventually lead to the increase of knowledge & Security of freedom.[2]

My last official Letter to the State contains all the information I can give.[3] With best regards to all friends, I am, &c,

David Howell

P.S. If you approve of the Sentiments in this pamphlet you may let it circulate.

Tr (DLC: Burnett Collection). Copied for Edmund C. Burnett from an original "MSS of the late William D. Ely of Providence," ca. 1934.

[1] That is, Rush's *Considerations upon the Present Test-Law of Pennsylvania: Addressed to the Legislature and Freemen of the State* (Philadelphia: Hall and Sellers, 1784). Evans, *Am. Bibliography*, no. 18,770.

[2] For this "great ferment" in Pennsylvania's politics, and the context of Rush's arguments against disfranchisement of the state's citizens through test oaths, see Brunhouse, *Counter-Revolution in Pennsylvania*, pp. 166–69.

[3] See Howell to William Greene, February 9.

James Monroe to John Francis Mercer

Dear Sir N. York Feby. 20. 1785.

Yours of the 9th from W[est] river I have recd. & very sincerely congratulate you both on an event wh. I doubt not & very sincerely wish may make you both happy.[1] We will do every thing in our power to procure you the accomodations you desire but fear we shall not such as you wish. A letter addrssd a week before you sit out will be in time for this purpose wh. will advise us with more certainty of your intentions. At length with infinite difficulty I have carried thro' a committee of 5. Gerry, Spaight, Johnson, Houston & myself under my original proposition at Trenton, a change in the 9th article of the confideration, strengthening the powers of Congress in the direction of commerce; investing them with absolute controul of it with foreign nations as well as with each other & of laying (in the first instance) the imposts & duties upon imports & exports wh. may be necessary for the purpose.[2] I have had infinite labor indeed in effecting this business even with the committee & expect to have it renew'd in Congress, tho' I hope there to find aid. If the recommendation takes place for this change it is propos'd to write a circular letter to accompany it to the States. The more I consider this subject the more fully impress'd I am with the necessity of this measure, for upon it depends the strength & duration, in a great degree, of the confederacy. Hardy is in favor of it & will give his assistance. Yesterday we attempted to

Elect a minister to the ct. of London, & Adams, Rutledge & R. R. Livingston being in the nomination, the former had 5 votes, Rutledge 2 & R. R. Livingston 4. We still doubt whom we shall elect but expect it will be R. R. Livingston for whom Virga. (between ourselves) votes.[3] We have withdrawn Mr. Madison from the nomination to the ct. of Spn. by his disire.[4] Your last letter hath reliev'd me from an anxiety I felt from the impression of a preceding one. The previous one suggested that I possess'd the good wishes &ca of a particular person. If this were the fact as it might have proceeded from some attention wh. I paid her, which never were intended to lay myself under any obligation to her, but merely to enjoy the pleasure of her company wh. I preferr'd to any in Annapolis while there, I cod. not but be uneasy. Believe me I am happy that the Lady is going to be married as it no doubt presents to her a prospect of happiness, which I most sincerely wish her, & relieves me from all further anxiety on the subject. Let me entreat you to represent this matter in its true light to Mr. Stone & whomever else you think proper, as occasion in point of propriety may suit as well for the Lady's as my own honor.

I am with my best wishes for you both, yr. affec. friend & servant,

Jas. Monroe[5]

P.S. Wod. you advise me to sit upon this fœderal ct.[6] Wmsburg. is the place appointed but I suspect it will be either in Annapolis or Wilmington since the delegation of N. York have remonstrated agnst. its siting there. Will that be a more honorable station to me than a seat in the committee of the States for one—I suspect there will be for abt. 2 months. Will you consult with my friend Mr. Stone upon this subject?

RC (Elsie O. and Philip D. Sang Collection, River Forest, Ill., 1985).

[1] On February 3 Mercer had married Sophia Sprigg (1766–1812), daughter of Richard Sprigg of "Strawberry Hill" near Annapolis, Md. *Bio. Dict. of Md. Legis.*, 2:594.

[2] See Monroe to James Madison, December 18, 1784, note 6, and to Thomas Jefferson, April 12, 1785, note 4.

[3] This balloting apparently took place on February 18—according to the journals, Congress did not meet "yesterday," Saturday, February 19. On Thursday the 24th, however, John Beatty withdrew Robert R. Livingston's name from nomination, Walter Livingston renewed it briefly then withdrew it again, and John Adams was elected minister to Great Britain. No votes were recorded. See *JCC*, 28:98; and PCC, item 190, fol. 1.

[4] Richard Dobbs Spaight had nominated James Madison to be minister to Spain on January 31, but it is not clear when his name was withdrawn, possibly on February 2. See PCC, item 190, fol. 1; and Samuel Hardy to Patrick Henry, December 5, 1784, note 3.

[5] On February 27 Monroe also wrote another letter to Mercer, only an extract of which has been found. "Two days since John Adams was appointed minister to the court of G. B.—having had upon several occasions the majority of votes it was at length acceded to the States of Maryld. & Virga. . . . In the course of the last week also your friend the Indian Comr. [*Arthur Lee*] presented himself here. What his object is I know not . . . propositions for raising men, regulating commerce & upon many other very important subjects are before Congress." *The Collector*, 63 (December 1950), no. D2447.

[6] See Massachusetts and New York Agents to Monroe, December 28, 1784.

Charles Thomson to John Lawrence

Sir, New York Feby 20. 1785

I have this Moment recd. your favour of the 10th.[1] I can hardly say in what situation the court of appeals now is. Upon finishing the causes before them after the conclusion of peace they wrote to Congress and seemed to wish to know their pleasure respectg the Continuance of the Court. No answer was returned nor was any thing done by Congress.[2] I should therefore be inclined to think the court still exists. One of the Members namely Cyrus Griffin esquire is as I am informed now at Philada. at which place the register of the Court lives and with him the Appeal must be lodged, if any has been made, For since the establishment of the court no appeals are brought to Congress.

I am Sr, Your obedt humble Servt, Cha Thomson

RC (CtY: Knollenberg Collection). Addressed: "John Lawrence Esqr, Burlington." Endorsed: "Chars Thomson Concg. Col. Saml. Formans Appeal."

[1] This letter is not in PCC.

[2] Thomson is apparently referring to a December 23, 1784, letter from Cyrus Griffin and John Lowell that had been referred to a committee consisting of Jacob Read, Elbridge Gerry, and Charles Pinckney on December 24, the day Congress adjourned from Trenton to New York. The committee had not yet reported, but it was "Renewed & augmented" on February 22. See PCC, item 186, fol. 174; and *JCC*, 28:91n. For the committee's April 4 report, declaring that "the present judges of the court of appeals must still be considered as in commission," and the efforts of opponents of Continental appeals jurisdiction to dissolve the court by terminating the salaries of the judges, see *JCC*, 28:230, 29:920; and Thomson to the Court of Appeals, July 5, 1785.

Committee of Congress Report

[February 21, 1785][1]

The Commee to whom was referred a Letter from the late superintendant of finance covering a letter from Thos. Barclay Esqr. together with a Duplicate of Mr Silas Dean's accounts with the United States report.

That from the statement of Mr Deans accounts as rendered by himself[2] the United States stand chargd, with a Ballance in his favour of Livers 348,119.12.4. That among the several charges brot. forward in his account, your Commee observe large sums said to have been advanced by him to Prisoners, foreign Officers and others, most of which (as appears by Mr Barclay's observations) are wholy unsupported by vouchers, nor do your Commee. find any Resolutions of Congress authorizing such advances to be made. That Mr. Dean Charges his Salary from Nov 1776 to January 1781 and his expences from January 177[6] to August 1780, whereas it appears from the Acts of Congress of the 6th & 26 of Augt. 1779 that he was dischargd. from

any further services as a Commissioner at the Court of Versailles from & after the Fourth of June 1778 (being the expiration of three months after notice of his recall from Europe), and that ten thousand Dollars were orderd to be paid him in full consideration of his time & expences during his attendance on Congress.

That Mr. Dean Charges 5 pr Cent. Commissions on all purchases made by Messrs. Delaps, Chaumont, De Beaumarchais & Montieu for the use of the United States. That in several instances his Charges appear to be improper, extravagant and unsupported by vouchers, resting wholy upon Mr Dean's Word. Whereupon your Commee. recommend that it be Resolved

That Thomas Barclay Esqr. be instructed in setling the Accounts of Silas Deane Esqr. with the United States to admit to his Credit no allowance for services or expences as commissioner at the Court of Versailes from and after the 4th Day of July 1778, excepting ten thousand and five hundred Dollars, when reduced to specie value, as granted him by the Act of Congress of the 26th of August 1779.

That he examine the particulars of Mr Deans acct. of expences, and admit only such as are reasonable and proper.

That a Copy of the Accts. of Messrs. Lee & Adams for houshold expenditures, as setled at the Treasury be forwarded to Mr. Barclay to assist his Judgment in such settlement.

That a Commission of five pr Cent be allowed on all purchases made by Messrs. Delaps, Chaumont, De Beaumarchais & Montieu provided it shall appear that Mr. Dean has actually paid such Commissions, and that they are not charged by those Gentlemen in their Accts. against the U States.

That Mr Barclay admit no charges which are not supported by proper vouchers, unless where he Judges such Vouchers would not have been obtained and in such cases other satisfactory evidence must be produced.

MS (DNA: RG 76). In the hand of George Partridge.

[1] The following report was submitted this day in response to a letter of September 30, 1784, from Robert Morris to Congress and a June 8 letter to him from Thomas Barclay, dated "Paris 8th June 1784," concerning the settlement of the accounts of Silas Deane which had been referred to a committee consisting of George Partridge, John Beatty, and William Henry on December 1, 1784. The committee was renewed on January 24 with William Ellery replacing Henry. No action was taken on this report and Barclay's correspondence was subsequently taken up by the secretary for foreign affairs and referred to the board of treasury on April 21, 1786. The present document was eventually transferred from the papers of the Continental Congress with a file concerning the claims of Pierre-Augustin Caron de Beaumarchais, which were not settled until the 19th century, to become a part of Record Group 76 at the National Archives. See *JCC*, 28:16n, 87n, 30:204n, 33:745, 34:620–21; PCC, item 54, fols. 41–46; and Morris, *Papers* (Ferguson), 5:321–28.

[2] The lengthy accounts Deane submitted to Barclay March 23, 1782, which Barclay sent to Morris June 8, 1784, are in PCC, item 54, fols. 49–172.

Elbridge Gerry to Samuel Hodgdon

Dear sir N York 21st Feby [17]85

On revising [reviewing?] the Journals, I find the Commissioners of the Treasury are directed to lease to the Trustees of Dickinson College for a Term not exceeding ten Years, the Buildings at Carlisle, or such part as are not wanted for public Stores.[1]

Yours in Haste, E Gerry

RC (DNA: RG 93, file 29,961).

[1] For the adoption of this February 7 resolution, see *JCC*, 28:18n, 44; and David Howell to Benjamin Rush, January 28, note.

Rufus King to John Lowell and James Sullivan

Gentlemen New York 23d. Feb. 1785

The controversy between Massachusetts and New York is of a nature that excuses me in remarking to the agents of the former, such observations as I may obtain here relative to the same.

The New York title will depend on their possessory right, directly, or impliedly, acknowledged by Massachusetts, and other states.[1] They will prove a possession prior to the first Massachusetts Charter, and produce ancient maps to shew that the whole country west of the Hudson was laid down at that time as nova Belgia; then argueing from the municipal principle, that a possession of a part, inures to all the beneficial purposes of a possession of the whole Territory claimed, attempt the establishment of their title by possession.

Perhaps in obviating this doctrine, the old Dutch records of New York might furnish some useful information, but how they are obtainable I am at a loss. Pennsylvania used translations of these records in her Trial with Connecticut; but since, contrary to the practice of all other courts, the parties withdrew the papers used as evidence in that trial, it would depend on the good will of those, who wish us no prosperity, whether we can obtain the same Translation, or any other. New York will introduce such parts of these records as they may find proper for their object.

Smith in his history of New York cites an old author, whose name I don't remember, who considers the Territory west and north west of Albany as *Terra incognita*, by looking into Smith's history probably you may find something that will serve us.[2]

The Gentlemen of New York speak of some public acts, laws, proclamations, or opinions of Massachusetts, declaratory of their idea of the

extent of their western boundary—they do not particularise. I have heard it said that Massachusetts have heretofore declined assistance to or protection of western Indians, upon the grounds that the Territory of Massachusetts, did not extend beyond a certain western boundary; it certainly would be well to examine every act of Massachusetts on this subject that may be obtainable and perhaps the Laws fixing the county lines may by incautious expressions express some precise Limit to our western Line.

It was a custom, and I learn a pretty ancient one, for the board of trade in England every Eight or Ten years, to propose to the respective Governors of the American colonies, questions relative to their general prosperity, numbers, and the progress made in settlement of the Country, the extent of their Boundaries, and the number and disposition of the indians in their several colonies. The answers to these questions by the governors of Massachusetts and New York *may be* important acquisitions in the Trial between the two states. Great reliance was made by Pennsylvania in their trial with Connecticut, upon an answer of the Governor of the latter, which stated the number of indians in that colony as very inconsiderable; from whence Pennsylvania argued that at that Time Connecticut had no idea of a western country as annexed to their colony, for had that been the case they would have given a far greater number of Indians, as the western country was then crouded with Natives. Although indian applications do not always demonstrate that the power to whom they apply, is their rightful protector, yet any thing of that kind, *from the western indians,* to Massachusetts *in early Times*, would weigh well against the claim of these Dutch Descendants, and therefore should be looked after.

It has been hinted that by force of the p[r]ocess on the quo warranto against the Governor & al, under the first Mass. Charter, or by force of the Jugement therupon (if any jugement was ever entered in form, which Hutchinson doubts in his history)[3] the patent made by King James to the Council of Plymouth, and of consequence the Grant from the council of Plymouth to Roswell and his associates was vitiated. A summary account of this p[r]ocess is given by Hutchinson, but nothing particular can be concluded from his history; if an authentic report of that case can be obtained, it might be very serviceable.

There is a declaration made by the Governor & Company of Mass. in the year 1676 on the records of the Mass. Genl. Court for that year, which was transmitted to the King and expresses the sense of the Colony then (which was forty seven years after the date of their Charter from Charles the first) of the extent of their Territory from sea to sea. This paper is in Belknap's History of New Hampshire,[4] Appendix paper 14. The paper No. 15 in the same appendix, containing a report of the board of trade, throws light upon the same subject. The original is in the Office of the supr. Court of New Hampshire.

Doctr. Johnson thinks both these papers will be useful on the trial, advises therefore to obtain authenticated copies.

No information yet concerning the acceptance of our Judges—the business stands in Congress upon this Subject as when you last heard from us—we will inform you of the progress as it may happen.

I have the honor to be respectfully your very humb servt.

R King

RC (MH–H: bMS Am1582). Addressed: "Honble Mr. Lowell & Mr. Sullivan."

[1] For the context of this "controversy," see New York Agents' Journal, December 4–9; and Massachusetts and New York Agents to James Monroe, December 28, 1784. For details concerning the New York and Massachusetts briefs in this case, see *The Law Practice of Alexander Hamilton,* ed. Julius Goebel et al., 2 vols. (New York: Columbia University Press, 1964–69), 1: 579–81, 584–631; and Hamilton, *Papers* (Syrett), 3:702–3.

[2] William Smith, *The History of the Province of New-York* (1757; reprint ed., Cambridge, Mass.: Harvard University Press, 1972).

[3] That is, Thomas Hutchinson, *The History of the Colony of Massachusetts-Bay, from the First Settlement Thereof in 1628* . . . (1764; reprint ed., New York: Arno Press, 1972).

[4] The reference is to the first volume of Jeremy Belknap, *The History of New-Hampshire,* which was printed in Philadelphia by Robert Aitken in 1784, although the complete three volume edition was not finished until 1792.

Connecticut Delegates to Matthew Griswold

N York Febry. 24th 1785.

We had the Honor to receive your Excellys. favr. of the 28th ult. with the Papers relating to the Wyoming Affair, of which we will take due Care.[1] No person has yet appear'd from thence to pursue that business, & it is said, but on what ground we know not, that they have prevented any occasion of an application here, as they have forcibly repossessed themselves of their Lands. It stands Assigned for an early hearing before Congress, but must if possible be delayed till some person appears from that Quarter to support it. We see by the Philada. Papers that yr. Exs. Letter to Presidt. Dickenson upon that subject has been lately laid before the Legislature of that State, & we shall probably soon hear from them something further relating to it. The Act relating to the Impost, we find upon the Files of Congress.[2] That subject has lain some time before a Commee. of Congress, who do not yet Report,[3] probably because they wait to see what the Assembly of this State now sitting, & before whom a Bill is depending upon that subject, will do in the affair. The Cession of Western Territory by the State of Connecticut we some time since formally laid before Congress, moved their Acceptance of it, & offer'd to execute a Conveyance pursuant to the act of the Legislature. It was strenuously Objected to, but after some Debate refer'd to a Committee, who have not yet enter'd upon the consideration of it.[4] If they do not do it, after

waiting a reasonable time we shall conceive it to be our duty to call upon them to take it up. Two Objections especially are made to it, 1st That it is within the Cession of Virginia. 2ly. That even the 120 M[iles] reservd by Connecticut is included within the extensive Purchase lately made of the Western Indians & Ceded to the United States by the Treaty recently return'd to Congress by the Commissioners. So that they must not only receive from Connt. a Cession of what is already their own, but implicitly confirm to that State 120 M. of Territory already Purchased by, & belonging to the United States. Our pretence for reserving which, it is alledged, is also unfounded, as it belongs to the United States & not to Connect't to furnish the Lands for the Satisfaction of the Soldiers of whose Interests we affect to be so careful. To these are added the original deficiences of our Title, & the decision at Trenton against it. The answers we shall give to these Objections we need not state, they will readily occur to your Excelly.

Congress have, since we wrote last, been very busy, & have taken up a great Variety of affairs, yet no very capital matters are yet bro't to a conclusion. Many are Reported upon & more yet lie before commees. The Papers have some time since announc'd to you the Election of the Commrs. of the Treasury. And Mr. Adams, after some contest, is now appointed Ambassador to the Court of London, to Negotiate the very important matters in dispute with that Court. It is resolv'd to send a Commissr. into the Western Territories on the Mississippi & Ohio where it is said the Settlers are in great disorder,[5] to endeavour the restoration of Peace & Order, & to prepare the way for the Establishment of regular government in those extensive & very valuable Countries which are rapidly filling with Inhabitants. A demand has been made of Longchamp by the Court of France, a very delicate & important affair which has claimed the Attention of Congress, but has not yet receiv'd a full discussion. He will not, we Imagine, be Delivered up, but the Question is what Answer shall be given & upon what grounds the denial may be most prudently placed.[6]

We can add nothing farther at present but remain with the greatest respect & esteem, Yr. Excellys. most obedt. & most huml. Servts.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] See Hugh Williamson to John Dickinson, January 14, note 1.

[2] An act adopted by the Connecticut Assembly during the session which convened in October 1784, authorizing Congress to levy a 5% impost for a period of 15 years in keeping with its recommendation of April 18, 1783, is in PCC, item 75, fols. 97–98.

[3] For the work of this committee, see David Howell to William Greene, February 9, note 6.

[4] For the referral on May 25, 1784, of the Connecticut act of cession to a committee which never reported, see Hugh Williamson to Alexander Martin, September 30, 1784, note 5. The issue had been revived on February 15 when Joseph Platt Cooke and Johnson moved acceptance of the cession pursuant to the Connecticut act, at which time it was referred to a new committee, consisting of Samuel Holten, William Henry, William Grayson, and Johnson, which was subsequently "renewed" on April 11 and May 2, 1785,

and yet again January 18, 1786, before a recommendation to accept the cession was adopted on May 26. See JCC, 27:432n, 28:69, 246n, 324n, 30:21–22, 160, 310–11. See also Connecticut Delegates to Griswold, May 27, 1785.

[5] For this February 21 resolve, see *JCC*, 28:87; and James Monroe to Thomas Jefferson, April 12, note 11.

[6] See William Henry to George Bryan, February 26, note 2.

Elbridge Gerry to John Adams

My dear Mr Adams New York 24th Feby 1785

I informed You a few Days since, that Yourself, Mr Chancellor Livingston, & Mr J Rutledge, were in Nomination for the Court of London,[1] since which many Attempts have been made to determine the Choice, & this Morning it was effected & devolves on Yourself. I am happy to give You this Information, both on publick Consideration, & on the Scope of Friendship, the former however being on every such important occasion the predominant principle, in my Mind. At the first balloting You had five, Mr Chancellor four & Mr Rutledge two Votes: And the States were tenacious of their Votes for several Days.[2] Temper was however preserved, & produced an Explanation by which it appeared that the southern States were impressed with the Idea, that You being totally averse to the Slave Trade would not exert Yourself at the Court of London to obtain Restitution of the Negroes taken And detained from them in Violation of the Treaty; & that in negotiating it, You was not so anxious as the other Commissioners respecting the American Debts, & would not, in all probability, be assiduous in executing the Instructions of Congress for discharging the American Merchants from payment of the Interest that accrued during the War, & for postponing the payment of the principal for three Years after the signature of the preliminaries of the peace. Whether these were real or ostensible Reasons, It is not in my power to determine.[3] I only state them as what were urged by the States opposed to your Choice. I find however that One part of your secret Journal, wherein Mention is made of a Compliment paid You as being "the Washington of the Negotiation"[4] & that a paragraph of one of your Letters describing the proper Character of the Minister for London, that he should be possessed of the "cardinal Virtues," compared with other Letters of yours claiming the Appointment, are urged as Traits of a weak passion, to which a Minister ought never to be subject, & as an Evidence that an artful Negotiator may flatter You out of important objects—these Your Friends & disinterested persons consider as subtil Devices of *Seekers*, And their Dependants to supplant You: & every person who knows the Value of an able, faithful & indefatigable Minister, who has been long in his Country's Service & rendered the most essential Services to her Cause considers with Horror such Measures & is happy in defeating

them. It is nevertheless my Duty, as a Friend to my Country, to yourself, & to the Cause of Virtue, to give You confidentially this Information, that Your publick & private Letters may not be in future abused to such unworthy purposes, indeed I think *Cave* is applicable, as it respects some of your Correspondents high in office at Massachusetts.

These You must be sensible are Communications, which nothing could induce me to make, but, the Necessity of your co-operating with those who are determined to support You on this side the Atlantic, in putting a Stop to, or at least in checking such ruinous Intrigues. We are determined to obtain if possible an Act of Congress, that they will not elect any person to publick office, whilst a Member of Congress, nor untill six Months after he shall have been a Member.

I wish You Success in all your Negotiations & remain with the sincerest Esteem your real Friend & humble Sert. E Gerry

N.B. Your Election was finally carried by nine States. Congress have resolved, that each appointment of a Minister, Secretary to a Legation or Chargé des Affairs, shall be for a Term not exceeding three years; but this Restriction does not render them incapable of being re-elected.

RC (MHi: Adams Papers).

[1] Gerry had not mentioned Chancellor Robert R. Livingston in his February 14 letter to Adams, but according to Charles Thomson's register of nominations Livingston had been nominated on January 31 with Adams and Rutledge, but his name was apparently "withdrawn," "renewed," and again, "withdrawn" before the final selection of Adams was agreed upon this day. See PCC, item 190, fol. 1.

[2] None of these votes was recorded in the journals, but see James Monroe to John Francis Mercer, February 20, note 3.

[3] At this point in the margin Adams wrote: "These are too gross Ar[ti]fices to conceal, a Secret Influence, to require much Attention. 'Neckar est vain et glorieux' may destroy the greatest Financier and best Minister in France, But Something more will be necessary, than 'il abond trop dans son Sens,' to destroy the Small Man here aimed at."

[4] For a previous use of this passage to call attention to Adams' vanity, see these *Letters*, 20:707.

[5] For the maneuvering that preceeded the adoption of this February 18 resolution, see *JCC*, 28:75–77, 83–84.

Elbridge Gerry to Thomas Jefferson

My dear sir, New York 25th Feby 1785

I am this Day favoured with yours of the 11th of Novr,[1] & am unhappy to hear that the Flames of War have burst again in the eastern World, & that there is too much Reason to apprehend, they will rage, at an early period, in the western Hemisphere. Nevertheless, if Britain is so much under the Influence of a weak passion, as to indulge it in renewing Hostilities amongst Us, & We shall meet her with cheerful Hearts, well knowing We have Resources, & being fully assured, We

shall by some effectual plan be able to draw them forth in sufficient quantities to humble her pride & correct her inimical Disposition.

Having given Mr. Adams Information of the proceedings of Congress since their Meeting at Trenton, & desired it may be communicated to Yourself,[2] I can only add on this Head, that Mr R. Morris, General Dickinson & General Schuyler are elected Commissioners to erect the fœderal Buildings on the Deleware, & that the two former have accepted the appointment.

Nothing further is done respecting a Land office, but I presume it will be soon taken up, as the Indian Commissioners have made considerable progress in their Negotiations.

A Report is made to raise 1500 Men, but what Number will be agreed on & in what Mode, Time must determine—the proposition is to raise them for three Years.

Another Report is made for recommending to the States an alteration of the Confederation, so as to invest Congress with the power to regulate the Trade of the united States, as well with foreign powers as with each other. & whilst I am on this Subject give me Leave to enquire, whether it will not be better policy to form our Treaties on Terms of Reciprocity with each Nation rather than on the principles it has adopted with the most favored Nations? If we provide in our Treaty with each Nation, that whatever may be the Average of its Duties on Imports & Exports, We will lay similar Duties, they may impose what Duties they please, & We shall have power without embarrassment, to reciprocate this commercial Tax & thus avoid being what We otherwise inevitably must be, their Tributary—for if on the other Hand, We are to be on the same Footing as the most favoured Nation, & this on an average pays 15 Per Ct. on Imports & Exports, whilst the most favoured Nation on our part pays but 5 Per Ct., is it not evident that this Rule would operate to tax us 10 Per Ct. as a Nation, on Imports & Exports from such a Treaty? This favoured Nation system appears to me a system of Cobwebbs to catch Flies. Attend to it as it respects Restrictions, prohibitions, & the carrying Trade, & it is equally distant from a Rule of Reciprocity, which is the only equitable & beneficial Rule for forming Commercial Treaties.

Mr. Adams is appointed to the Court of London, & a Report for accepting Doctor Franklins Resignation is before Congress, who will probably pass it, & appoint yourself to the Court of Versailles. You will certainly have all the N England Interest in your Favour.

Doctor Lee having just arrived from the Indian Treaty, informs me that a Cession is obtained from the Savages of about thirty Million Acres of Land, bounded by the great Miami, Lake Erie &c; & that another Treaty is to be held, in which a further Cession is expected more to the Southard. I am impatient for opening the Land Office.

Nothing further occurring at present, give me Leave Sir to assure

You that I remain with the highest Esteem your sincere Friend & very hum Serv., E Gerry

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 7:651–52.

[1] See ibid., pp. 501–2.

[2] See Gerry to John Adams, February 14, and the preceding entry.

Rufus King to Samuel Adams

New York 25th Feby 1785

In the earliest instructions to the Minister at the Court of London I hope the individual interest of Massachusetts will be attended to—the objects of commerce, including the carrying trade are the concern of many States, & will not be omitted; but you will excuse me in soliciting your attention to a point of negociation highly important to Massachusetts—I mean, her Eastern boundary. A resolve of Congress of the 29th day of January 1784 placed this business in train[1] & originated, the appointment of Commissioners by Massachusetts to examine into the complaints of encroachments by the british on her territory, the commissioners, proceeded to make such examination [*and*] I think reported to the Legislature a state of acts & their opinion on the same, & here the business appears to have terminated.

The resolve above referred to recommends that the proceedings had by Massachusetts, should be communicated to Congress. This communication has not been made, altho, it is most clearly the policy of Massachusetts to do it, & to procure an Act of Congress upon the subject, that shall make it the concern of the Union.

Congress in their present un-informed situation can do nothing on the subject. If a proper report comes forward to Congress, it undoubtedly will become an instruction to their Minister. The application going to the Sovereign, in the first instance, will be, not only more proper, but, more efficacious, than to any of his Governors. That the interest of Massachusetts is concerned in this business, is, not only my apology, but my inducement, to introduce it to your attention.[2]

Tr (M–Ar: Revolutionary War Letters). Endorsed: "Extract of a Letter from the honble. Rufus King to the President of Senate taken by direction of the Senate." "In Senate March 9th, 1785, Read & sent down. S Adams Presidt." "In the House of Representatives March 10th, 1785. Read & committed to the Committee appointed on the Letter of the 12th ulto. from the Delegates of this Commonwealth at Congress. Sent up for concurrence. Sam A Otis Spkr."

[1] See Thomas Mifflin to John Hancock, January 31, 1784, note 1.

[2] For Massachusetts' response to this appeal, see Massachusetts Delegates to James Bowdoin, September 20, 1785.

Walter Livingston to Robert Livingston

Hond Sir New York Feby. 25. [17]85

I was honored with your favor of the 16 Inst. yesterday by the Post inclosing the Bond which I had forwarded for you to execute on my behalf,[1] for your compliance with this request I render my thanks, and assure you that the trust reposed in me shall never be violated even in the smallest degree.

The expence of living in the Stile I am under the necessity of supporting is enormous, and will not fall far short of £500 over and above my Salary, perhaps the Summer Season may not be so expensive.

Congress have not yet heard from either Mr. Gervais or Mr. Osgood. I am apprehensive the former will not accept, as he cannot live here with a family for the Sallary now allowed.

Congress yesterday elected a minister for the court of London and the Majority of Ballots were in favor of Mr. Jno. Adams who is now our minister at the Hague. Your letter to Robert will be taken into consideration this day. For my own part, I am decidedly in favor of your commencing an Action against Mr. Livingston and that for the very reason which you assign (viz) that should he recover, he cannot possibly injure you more than he now does, so that you cannot be a looser by trying to support your just rights. Should you be so very unfortunate as to be deprived of that right which is bequeathed to you by your grandfather, you have other Mill places in that neighborhood which may be improved to good purposes.

John is now at Greenwich and sends express for Harry to come out, as he is ready to set off for the manor. Cornelia joins me in Love to Mama and yourself. Mr. & Mrs. Cochran desire their best respects to yourself and Mama. Your affte. & Dutiful Son,

Walter Livingston

RC (NHpR: Livingston Papers deposit, 1973).

[1] Robert Livingston's February 16 letter to his son is in the Robert R. Livingston Papers, NHi. The enclosed bond is in the PCC Miscellaneous Papers, M332, reel 9, fols. 416–17. For Walter's request for the bond, which would be necessary for his acceptance of office as a commissioner of the new treasury board, see Walter Livingston to Robert Livingston, January 3, 1785. For questions relating to the bonding of the treasury commissioners that were raised by Samuel Osgood, see Rufus King to Elbridge Gerry, March 20, note 4.

George Partridge to Samuel Adams

Sir New York 25th Feb. 1785

I must beg leave thro' you to remind the Honorable the General Court, that the term for which I can serve them as a Delegate in

Congress, will expire, (by the Articles of Confideration) the Beginning of next month: as I shall then have been three Years in the Delegation.[1] I tho't it necessary to mention this, that the Members of the Genl. Court might be reminded of filling up the Delegation if they Judge it expedient.

I feel myself happy in retiring to private Life, at a period when the Liberties of my Country are so well secured, and when there is so solid a Foundation laid for the publick Prosperity and happiness: being confident that a Country so enlightened as ours, will not fail to build on this foundation a National Character corrisponding to the Dignity of humane nature under a Republican form of Government, where Justice, Wisdom and every Principle of virtue may operate unrestrained.

I have the honor to be, with the highest Respect & Esteem, Your Honors most obedient Humbl Servant, Geo. Partridge

P.S. As my Honle. Colleague Mr Gerry will go to Boston in a few Days, and will give the Honle. Court my Information which they may require; I shall think it unnecessary for me to return home by the way of Boston.

RC (M–Ar: Revolutionary War Letters).

[1] Actually Partridge had been "in the Delegation" every year since 1779, but as he had not attended from May 1782 to December 1783 he had not yet exceeded the constitutional limitation preventing any person from serving as a delegate "for more than three years in any term of six." That limitation would disqualify him, as he explained, on March 1, 1785, the fourth anniversary of the ratification of the Articles of Confederation. See *JCC*, 19:4–5, 215, 21:1101, 25:810–11, 27:642.

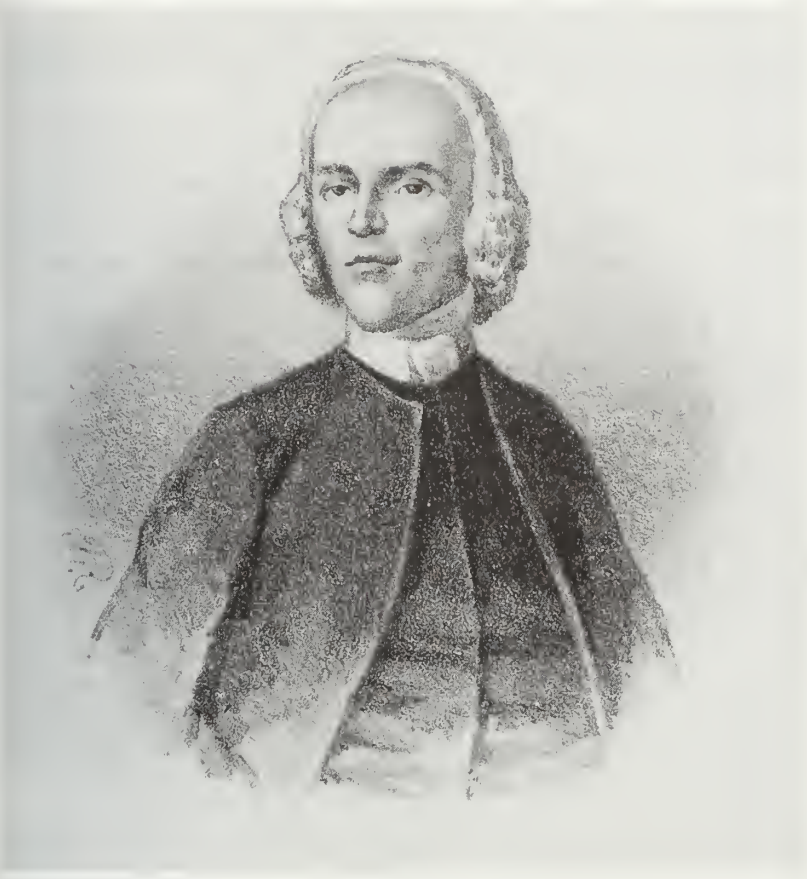
William Henry to George Bryan

Dr Sir,[1] New York the 26th Febru. 1785

I thank you for your favors of the 15th and 19th Inst.

I Doubt the sincerity of the Wyoming people in thier application to Congress for a federal Court, no commissioners are yet arived nor any further instructions to Dr Johnston, if they could bring them selves within the ninth article of confederation I would not object to their having a federal Court for the sooner an end can be put to this affair the better.

Mr John Adams was Elected two days since Minister to the court of London. A Charge des afair will probably be left in the Hauge till he can return for his principal business will be to make a Demand of the western Posts now in the hands of the British.



William Henry

The King of Spain has sent a minister to America to setle the boundarys and the navigation of the Mesasipi.

Teusday next is apointed for a full discusion of Longchamps affair. He has been formaly Demanded by the King of France through Mr De Marboi. Pennsylvania has nothing to fear on this affair; the Debates it is hoped will tend to through some light on the part which Congress ought to take in this disagreeable affair.[2]

I thank you for the pains you have taken about my son. I am of your opinion about the value of the offices in the gift of the house.

I am Sir your most Huml. Servt, William Henry

PS Be so good as to send me the french Pamphlet on the case of Beresford,[3] as it is a late case and directly to the point it will be very usefull to us.

RC (PHi: Bryan Papers).

[1] Bryan (1731–91), former Philadelphia merchant and vice-president of the Pennsylvania council, 1777–79, was a justice of the supreme court of Pennsylvania from 1780 to his death. *DAB.*

[2] Charles Julien, chevalier de Longchamps had assaulted the marquis de Barbé-Marbois, the French chargé d'affaires, in Philadelphia in May 1784, and had been convicted of assault under Pennsylvania law despite Marbois' efforts to have him released into French custody for trial in France. See Thomas Mifflin to La Luzerne, May 31, 1784, note 2. Marbois had revived the issue when he wrote to the secretary for foreign affairs, John Jay, on February 10 demanding Longchamps' extradition, which Jay reported to Congress the following day. Jay also submitted a report on the request to Congress on February 16, explaining that he thought Marbois' demand was premature, might threaten relations with France and with the state of Pennsylvania, and should not be answered until United States concerns could be communicated to the French court through the American minister to France, Thomas Jefferson. Jay's views were apparently shared in Congress for although the issue was referred to committee and a report drafted, no mention of the case was made in the journals of Congress until August when Jay reported that the king of France "would not persist in his demand that Mr. Longchamps be delivered up." The case was closed August 23 when Congress resolved that the papers submitted to Jay concerning the French demand be returned in keeping with Marbois' suggestion. See *JCC,* 28:64n, 76n, 99n, 210n, 314–15, 317n, 29:564, 598–99, 651; and James Monroe to Thomas Jefferson, April 12, note 7. Jay's correspondence with Marbois on this subject is in *Diplomatic Correspondence, 1783–89,* 1:109–16, 167–68, 178.

For analyses of the impact of Longchamps' case on Pennsylvania politics, on Continental-state relations, and on the conduct of United States foreign policy, see Gail S. Rowe and Alexander W. Knott, "Power, Justice, and Foreign Relations in the Confederation Period: The Marbois-Longchamps Affair, 1784–1786," *PMHB* 104 (July 1980): 275–307; and Rowe and Knott, "The Longchamps Affair (1784–86), the Law of Nations, and the Shaping of Early American Foreign Policy," *Diplomatic History* 10 (Summer 1986): 199–220.

Justice Bryan was especially interested in Marbois' demands because he had presided at Longchamps' trial and was a member of the Pennsylvania Supreme Court when it rejected a controversial Pennsylvania Council demand for Longchamps' release into French custody.

[3] Not identified.

Charles Thomson to the States

Sir Circular New York February 26th. 1785.

Attempts having been made in the settlement of accounts to defraud the Public by means of Certificates and some of them being discovered, The United States in Congress assembled have passed the resolutions which I have the honor to enclose.[1]

That these resolutions may have the desired effect, permit me to request that you would be pleased to give order for having them printed without delay in the Newspapers of your State.

With great respect, I have the honor to be, your Excellencys most obedient and most humble servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "To the Governors or Presidents of the several States from New Hampshire to Georgia (inclusive)."

[1] For these February 23 resolutions, see *JCC*, 28:92–93; and Thomson's Memorandum Book, February 4–28, note 35.

Richard Henry Lee to George Washington

Dear Sir, New York Feby. 27th 1785

I am now to thank you for the letter that you did me the honor to write to me on the 8th of this month, and which I received on the 17th with the enclosures.[1]

Sir James Jay had mentioned the plan of Lady Huntingdon to me, previous to the receipt of your letter, and at the same time that your packet reached me, there came one to Congress from Governor Henry with her Ladyships letter and plan enclosed, which the Governor strongly recommended.[2] It was presently observed that the terms upon which lands had been ceded to the United States did not leave it in the power of Congress to dispose of them for any purpose but for paying the debts of the public by a full and fair sale of all the ceded lands. It was indeed remarked, that those religious people whom her Ladyship had in prospect to transplant & fix on our frontier were remarkable in the late war for an unanimous and bitter enmity to the American cause, and as such might form a dangerous settlement at so great a distance, contiguous to the Indians, & easily accessible to Canada. Especially in the present very unfriendly temper of mind that we now suppose the British nation possesses with respect to us. It was therefore ordered that Governor Henry's letter with the enclosures should be filed, but nothing more done in the affair. Finding this, I concluded it not necessary to shew your letter, either publickly or privately. I have therefore returned to you, Lady Huntingdon's packet. It

appears to me, that Georgia is the most likely State in the Union to close with her Ladyship, if the latter argument mentioned in Congress should not prevent it. I am sorry to hear that you are so interrupted by applications that ought not to be made. I hope however that you will not suffer them so to prevent your necessary exercise, as to injure your health. The investigating and opening our western navigation is an object of great importance and well worthy of your patronage. I believe, as I hope, that it will be found by experience to be of great utility both to the public and to the private adventurers. Very little has yet been done in Congress respecting the Western Country—but a very full discussion of that business will soon come on when it is to be expected that our affairs in that quarter will be put under better regulation than hitherto they have been. The mischief that experience & reason both join in proving to flow from the Sessions of Congress being held in our large Citys, produced the necessity of determining on some place of easy retirement for the federal government, and the unhappy neglect of attendance on the part of the Southern States has furnished an opportunity for a Majority in Congress to fix on a spot too excentric. My wishes would have been to have gone further south, but of two evils it was best to choose the least, and therefore we thought it better to fix somewhere in retirement than to continue wandering, or to fix in the midst of dissipation.[3]

We had but just determined upon sending a Minister to the Court of London (Mr John Adams) when this day 28th Feby., we receive a letter from our Commissioners, for making treaties &c. at Paris, the copy of a letter from the Duke of Dorset, Minister from London to Versailles, to our Ministers, in answer to a proposition from them for making a treaty of Commerce with G. Britain & for settling other points of difficulty arising from the late peace—In which his Grace declares the determination of his Court to be ready to settle all these affairs upon terms of equal & lasting good to both countries whensoever the U. States shall send to their Court a Minister properly authorised for the business.[4] This *looks* well at least—and we shall shortly make the experiment of their sincerity. The King of Prussia thinks that there will be no war between the Emperor & Holland, and indeed it does now seem probable that his judgement will prove right. I have sent the letter you committed to my care for the Marquis on to France by the packet.

I have the honor to be, with the highest esteem and regard dear Sir Your most obedient & very humble servant,

Richard Henry Lee

RC (DLC: Washington Papers).

[1] Washington's February 8 letter is in Washington, *Papers* (Abbot), Confederation Series, 2:330–33. With it he enclosed the originals of a December 20, 1784, letter from Sir

James Jay in New York enclosing a March 20 letter from Selena Hastings, the Countess of Huntingdon, and her April 8 address "To the Friends of Religion and Humanity in America" outlining her plan to convert and civilize the Indians of North America through a system of British missionary schools and colleges, for which see ibid., pp. 198–222. For Washington's January 25 reply to Sir James Jay and February 27 response to the Countess of Huntingdon, see ibid., pp. 291–93, 392–94.

[2] Gov. Patrick Henry's February 3 letter to the Virginia delegates, enclosing copies of a letter from Sir James Jay of December 20, 1784, in which he transmitted the Countess of Huntingdon's April 8 letter and "address," was laid before Congress on February 17. See *JCC*, 28:77n.1; and PCC, item 71, 2:383–418.

[3] Remainder of letter added February 28.

[4] According to Charles Thomson's despatch book, Congress received on February 28 from John Adams, Benjamin Franklin, and Thomas Jefferson their "2nd Report to Congress" of December 15, 1784, with seven enclosures, the last two being copies of a November 24 letter to them from the Duke of Dorset, British ambassador to France, and their December 9 reply. See PCC, item 116, fols. 54–61, 132–40, item 185, 3:114; and *Diplomatic Correspondence, 1783–89*, 1:515–17, 542–45.

New Hampshire Delegates to Meshech Weare

Sir New York Feby 27th. 1785

We have the honor to inform your Excellency that on the 25th instant the honorable Arthur Lay [Lee] Esqr arrived in this city, and presented to Congress several medals given by the King of Great Britain to the Indians in the middle district which they had delivered to the commissioners for settling a treaty with them.[1] In the treaties which have been completed with the Indians about thirty millions of acres of land have been obtained which in our opinion is a quantity sufficient to form one new state and half of another. These lands we hope will very soon be put in such a train as to be the means in some measure of releiving the public credit. Congress in pursuance of their resolution to erect buildings for their accommodations have proceeded to elect commissioners for that purpose—and accordingly made choice of the honorabl Robert Morris Esqr of Pennsylvania, General Dickerson of New Jer[s]ey, and General Schuyler of this State for to carry this business into effect the gentlemen first mentioned have accepted their appointment, from the other no answer has been received. We have thought it our duty to obstruct this measure as much as was in our power from the pursuasion that the State we have the honor to represent is not under its present embarrassments able to advance cash for the purpose, we wished at least to have gained time to have consulted our constituents on the subject—but although we had the support of some other States in our opposition yet it was carried against us. The buildings however are as yet on paper only and probably will not soon become more substantial unless the commissioners can contrive means to erect them without calling on the re-

spective states for the moneys for that purpose—perhaps it may be effected by making a purchase of so much land over what may be wanted by the United States as when sold will complete the business.

Yesterday Congress went into the election of a minister to the court of London[2]—when the Honble. John Adams Esqr was made choice of by nine states—instructions will be forwarded with his commission relative to the western posts and other matters interesting to the states. It is our wish not to multiply ministers in Europe and it will be our endeavour, that the removal of Mr Adams from the United Netherlands shall be supplied a charges des affairs to reside in Holland. We conceive the expected arrival of Mr Guardoque from Spain in that character will render abortive any motion to appoint a resident minister at the court of Madrid.

We have further to inform your Excellency that such measures have been adopted by congress as we hope will prove effectual to obtain treaties with the Reginers [Regencies] of Algiers, Tunis, and Tripoli.[3]

A committee consisting of a member from each State have under consideration an estimate and requisition—as also the subject of coin and a mint but have as yet made no report thereon.

Congress have resolved that the appointment of ministers to foreign courts shall be for three years only unless rechosen, and subject to be recalled at any time.

We must beg the favour of your Excellency to lay before the honorable Council our necessity for a further advance of cash.

We have the honor to be with sentiments of the highest respect, Your Excellency's Most obedient humble Servant,

Abiel Foster

Pierce Long

Tr (DLC: Peter Force Collection).

[1] There is no mention in the journals of such a presentation or of Lee's return from his mission as commissioner to the Indians.

[2] This election was actually made on February 24. See *JCC*, 28:98.

[3] See *JCC*, 28:65–66; and Pennsylvania Delegates to John Dickinson, March 9.

Samuel Holten to John Hancock

Sir, New York, 28th. February, 1785.

Since I had the honor of addressing your Excellency, Congress have proceeded to the choice of a Minister to the court of London, & after considerable time being spent, debating upon the propriety of the measure, & who should be the person, it terminated in favor of the honorable John Adams, being elected by nine states out of eleven that were present.[1]

Two of the commissioners appointed by Congress to superintend the building of their fœderal town have accepted (viz.) Messrs. Morris & Dickinson, Genl. Schuylers answer has not yet come to hand; so that if Congress had money enough, I should expect to hear of a number of elegant buildings being erected in a short time.[2]

I have the honor to be, with the greatest consideration, your Excellency's most obedient servant, S. Holten

RC (M–Ar: Revolutionary War Letters).

[1] This February 24 vote was not recorded in Secretary Thomson's journals. See *JCC*, 28:98.

[2] For Philip Schuyler's refusal to accept this appointment and the difficulties experienced in trying to obtain the consent of a third commissioner, see Charles Thomson to Philemon Dickinson, et al., February 14, note 2. For the ultimate collapse of the vision of a federal town on the Delaware, largely because Congress did not in fact have "money enough" for the project, see Kenneth R. Bowling, *The Creation of Washington, D.C. The Idea and Location of the American Capital* (Fairfax, Va.: George Mason University Press, 1991), pp. 69–70.

Samuel Holten to David Sewall

Dear Sir. New York February [28], 1785

I have receiv'd the letter you did me the honor to write the 19th ultimo; it will always give me pleasure to comply with your wishes, the states that are "deficient in granting the Impost of 5 pr. Cent"—are Rhode Island, Georgia, & N. York, this latter has it at this time under consideration; I sensibly feel with you, respecting the state of our finances, and they are now under deliberation of a grand comee. of Congress.

The affairs of Vermont, or New Hampshire grants respecting being admitted into the union are, I conclude in the same state they were in some years since, not having heard them mentioned in Congress for a length of time; and I can only add, as my opinion, that there is little prospect of their being considered as a State by Congress at present.

"Old continental paper money," is to have another hearing in Congress in a short time, but what determination it will produce, I consider as uncertain, as when the state of Vermont, so called, will be admitted into the union; however, I am sure the delegates from Masstts. will carefully attend to the same for they are sensible how much their constituents are interested in the matter.

As to there being a commercial treaty with G.B.: I consider our commissioners in Europe fully authorized to treat upon the subject, but the prospect of success may be but small. Whether Congress are "authorized to regulate trade," I must beg leave to refer you, to the articles of confederation, which you are so well acquainted with, however, Congress have it in contemplation to propose to the several states ad-

ditional powers to be vested in them For a certain time, at least respecting this matter.

I am fully in sentiment with you respecting Congress's sitting in a large commercial city, but we are to have a fœderal town erected, & two of the commissioners to superintend the same have accepted their appointments (viz) Messrs. Morris & Dickinson, however, I consider it uncertain when the buildings, &c, will be ready For the reception of Congress, as some money will be necessary to compleat the same, & where are we to procure it, & pay our other just debts.

The consideration of an appointment of a minister to the Court of London, & who should be the person took up considerable time, but at length it terminated in Favor of the Honorable John Adams, being elected by nine states out of Eleven that were present.

The fortresses on our northern frontiers being still in the hands of the British, the navigation of the Mississippi, as it respects the Court of Spain, the settlement of our western Country, added to the state of our finances makes great attention of Congress necessary.

The affairs of the Emperor & their high Mightinesses must be important in their nature, & serious in their consequences; but as winter is the time to negotiate, possibly it may be settled.

I have, with perfect respect, the honor to be, your most obedient

FC (DLC: Miscellaneous Manuscripts). In the hand of Samuel Holten and endorsed by him: "Copy of a letter to the honorable David Sewall, February 28th. 1785."

John Sitgreaves to John Gray Blount and Thomas Blount

Gentlemen New York 28th Feby. 1785.

My last to you was written early in January just before my Departure from Phila. for this place. I have long flattered myself with a Hope of hearing from you, but have not had that pleasure yet, this perhaps may be attributed to the interruption the post has suffered from the severity of the season & to the negligence & irregularities of that establishment. I have at last received some Letters by that Conveyance from my Friends in Carolina that were the immoderate time of 40 days on the road, from this Circumstance I doubt whether all the Letters I have written you are yet come to hand. I hope this Evil will soon be remedied. Congress disapprove of the Conduct of the Officers who have the superintendance of this department & will very soon take Measures for their better Regulation.[1] Not long since I was favor'd with a Letter from your Brother Mr. Wm. Blount stating the propriety

of my return home in March (if possible) with reasons that were sufficiently powerful to induce me to adopt his advice. This impels me to address you on the subject of money, the want of which might prevent my return when nothing else wou'd, having found it impracticable to leave this so early as to enable me to be at home by March term. I have concluded so to regulate my Measures as to return time enough for the ensuing term of our Court which will be the second Monday in May. Nothing shall prevent me from this step but the want of money & I am sure a disappointment in that article must be owing to the Treasury if it happens to me at all.

Before I left Phila Mr. Barr informed me you had shippd him a Cargo out of which he was directed to pay me Two hundred & fifty Dollars, part of this he then advanced Me, the remainder he has not yet remitted owing to a detention of the Cargo by the Ice below Phila, he writes me, he shall soon dispose of it & will then remit, the Ballance.

Before I left Phila. being pressed much for Money to pay off my Expences there & enable me to come here I was compelled to make use of One hundred & sixty Dollars, the amt. of a Bill drawn by Major Carnes in favour of Mr. W. Blount on Messrs. Stuart & Barr. As this was contrary to his Wish when he gave me the Bill, designing it I beleive for Mr. Ben Smith, I coud wish it Might be replaced as soon as possible, that no Inconvenience might arise from my using it.

My Brother writes me that the Sheriff of Craven will take up all my Warrants with the present Collection. You may remember that two or three of them were left in your hands some time before I came from home. I mention this because he expresses ignorance of what has become of them all.

I have no late News to write you. A French Packet arrived yesterday. If she brings any News it has not yet transpired, the public Dispatches by this Mail give us no accounts of the Emperor & the Dutch. I think there is great probability Matters will be made up between them this winter. Congress a few days since appointed John Adams, the late Minister at the Hague, Minister to the Court of London. They have also appointed Genl. Schuyler, Robt. Morris & Phil. Dickinson of the Jersies Commissioners for carrying into Execution the Ordinance for building a fœderal Town &c.

I intended by this post to have sent you the prices current of this place but I am disappointed in getting them & have not time to wait as the Mail will soon be closed. I must defer it till the Opportunity by Capt. Tinker who sails next week for New Bern & will no doubt get there before this does.

Please present my respects to Mrs. J. G. Blount & beleive me to be Gentlemen, With respect, Your most obedt. Servt.

Jno Sitgreaves

RC (Nc–Ar: Blount Papers). Addressed: "Messrs. J G & T Blount."

[1] For the committee report on the Post Office submitted to Congress this day, which recommended "That a Committee be appointed to prepare an additional Ordinance for the better regulating of the Post Office," see *JCC*, 28:7n, 109, 158n.

North Carolina Delegates to Alexander Martin

Sir, New York March 1st 1785

Congress since their meeting in this City have chosen three Commissioners of the Treasury in lieu of those Gentlemen who were appointed at Annapolis last Year, who have declined accepting that appointment. The Gentlemen now chosen are Mr. John L. Gervis of South Carolina, Mr Samuel Osgood of Massachusetts, and Mr Walter Livingston of this state.[1]

General Schuyler, Mr. Robert Morris & General P. Dickinson are appointed Commissioners to carry into effect, the ordinance of the 23d December last respecting the fœderal Town.[2] This ordinance was transmitted to your Excellency by the Secretary of Congress.

We have recd. accounts of a Vessel belonging to Alexandria in Virginia, being captured by one of the Barbary Corsairs & carried into Algiers. By the last accounts the Vessel was not condemned, and as she was only in ballast bound from Cadiz to Madiera, perhaps they may give her up. The depredations of those pirates unless speedily put an end to by making a treaty with them, may prove very injurious to the Commerce of the United States, Congress have taken such steps as they think will accomplish this desireable end.[3]

The British Court having taken no steps to comply with that article of the treaty which respects the delivery of the Posts on our Western frontiers, but on the contrary it is said, that they have reinforced the Garrisons, and are repairing the fortifications: And every account from Europe convincing us of the unfavorable disposition of that Court towards us, it was thought necessary to send a Minister to that Court, to insist on the delivery of the Western Posts, and a compensation for the negroes that were carried away in open Violation of the Definitive treaty of Peace, and to prevent matters from getting to that pass, which might again involve us in a War with that nation. Mr. John Adams is the person elected for this purpose.[4]

Congress have directed that the Comptroller shall, until the board of treasury are organised, appoint Commissioners to settle the accounts of the states, against the United States.[5] As soon as the Delegates find a proper person for that purpose, they will have one appointed for the state of North Carolina.

Our Commissioners have concluded a second treaty with the Indians at fort McIntosh, but as Congress have not yet either ratified the

present or former treaty with the Indians, we don't look upon ourselves at liberty to transmit copies of them to Your Excellency.[6]

We make no doubt but Your Excellency have taken the proper steps to have us relieved at the expiration of our tour of duty, by ordering on the other Delegates, so that they may be here by the first of May, at which time the six months, we are to stay pursuant to the Resolve of the general assembly passed in May 1784 expires.[7] But lest Your Excellency may have omitted to take these steps, we must request You to order on the other Delegates to relieve us at that time; as our private business demands our attention at home, and we must whether releived or not, leave Congress the beginning of May, in which case, if the other delegates don't come forward, the state will not be represented.

We have the honor to be &c Richard D. Spaight

Jno. Sitgreaves

Tr (Nc–Ar: Governors' Letterbooks).

[1] See Charles Thomson to John Lewis Gervais and Samuel Osgood, February 14.

[2] See Charles Thomson to Philemon Dickinson et al., February 14.

[3] That is, Congress had authorized the expenditure of up to $80,000 by the American commissioners abroad to negotiate commercial treaties with Algiers, Morocco, Tripoli, and Tunis. *JCC*, 28:65–66. See also Abiel Foster to Thomas Jefferson, March 26, note.

[4] See Samuel Holten to John Hancock, February 28, note 1.

[5] See *JCC*, 28:92; and Pennsylvania Delegates to John Dickinson, January 27, note 2.

[6] See Richard Henry Lee to Patrick Henry, February 14, note 4.

[7] By resolve of the North Carolina legislature adopted May 31, 1784, the state was to be represented constantly by three delegates from a slate of six elected annually, three attending from the first Monday in November until "relieved by the others at the expiration of six months, or sooner or later as the delegates may judge proper, always having regard to the intentions of the legislature as to the number constantly attending." Journal of the House of Commons (April 1784 session), p. 61, DLC(ESR). Thus Spaight and Sitgreaves were expecting to be relieved by three of the other four delegates elected with them—William Cumming, Adlai Osborn, Thomas Person, and Benjamin Smith. Hugh Williamson, who was also attending at this time but had been elected April 23, 1784, under a different resolve, would be ineligible to attend Congress after May 13. See *JCC*, 27:392, 645.

As Spaight was ill for several weeks from late March, and Sitgreaves returned home early in May, North Carolina was not represented in Congress from May 6, 1785 to May 3, 1786, Cumming attending alone ftom July 21 to October 17, 1785. Osborn, Person, and Smith never attended.

Charles Thomson's Memorandum Book

[March 1–31, 1785]

March 1. Sent to the Commissioner for settling Accounts of the Army Memorial Thos. Wylie & John Jordan to be allowed commutation for half pay—referred March 1st to him to report.[1]

Transmitted to Mr. Milligan Copy of the Order referring the above papers.[2]

5. Deliver'd Francis Carbonneaux, Copy resolution of Congress of 4th Inst. ordering him an advance of 300 Dollars—with Presidents Warrant subjoined.[3]

Copy of Appointment of Commissr. to the Kaskaskies & Illinois settlements.[4]

Copy of Act of Cession from Virginia & the Acceptance thereof by Congress.[5]

Copy of Act for temporary government of new Western States.[6]

Deliver'd Mr Gerry Copy of report of Secretary for F. Affairs relative to Richard Soderstrom of 3d Inst. as also of its enclosure representation by Sears & Smith of his conduct towards them.[7]

Deliver'd Mr Howell Copies of the Two Indian Treaties.[8]

Deliv'd Committee on Indian Affairs Copy of the Treaty made with the Indians at Fort McIntosh.[9]

Sent to the Comptroller of the Treasury Resolution of the 1st Inst. relative to Accounts of the late Lt. Col. J. Laurens.[10]

Delivd. Mr. Read a Copy of the above (respecting Lauren's).

8th. Deliver'd Mr A. Lee Copy of Resolution of 4th Inst. allowing him the sum of 1977 70/90 dollars in full for his services & as Corresponding Agent in London.[11]

Sent to the Comptroller of Accounts a Copy of the above.

Deliver'd Mr Duer a second Copy of Resolution of 18 Ultimo for advancing him 3000 Dollars.[12]

9. Delived. Mr Long Copy of resolution of 7th Inst. relative to Jotham Blanchard.[13]

Forwarded to Genl. Knox by the Honbl. E. Gerry—a Letter from the Secy. of Congress enclosing Copy of the Ordinance for regulating the War Depart. ditto of Resolution fixing the Salary & ditto of his Election as Secy. at War—8 March 1785.[14]

Forwarded to James Milligan Esq. the following

Copy of Resolution of 4 Inst. fixing salary of Secy. at War[15]

Ditto Resolution 7 do. relative to payment of balance of Jotham Blanchard's Accot.[16]

Ditto of March 8th relative to Accounts of S. Parsons[17]

Ditto Election of Secretary at War.[18]

Ditto resolve of 8 Inst. in favor of Officers who retired under the resolve of 31 December 1781.[19]

Ditto Resolve of 8th Instant on Memorial Col. Livingston & Memorial of John Buchanan under Cover directed to John Pierce Esq. referred to him to report with Copy of Order Certified.[20]

Deliver'd Mr. Saml. Parsons Copy of Resolutions of 8th Inst. relative to the settlement of his Accot.—2d Copy of the above endorsed South Carolina which he has promised to forward to the Gov-

ernor of that State—as also the following papers which came enclosed in his Letter to Congress of 18 January last.[21]

Viz Papers from No. 1 to 13 inclusive &

Certificate of Marquis De Bouille (receipt taken & filed).[22]

Deliver'd Mr Silas Talbot Copy of Resolve of 8th Inst. in favour of Officers who retired under the resolve of 31 Decemr. 1781.

Deliver'd Mr Remsen to be filed in the Office for Foreign Affairs a Formal Communication from Mr Marbois, enclosed with his Letter of 28 January 1785.[23]

11th. Transmitted to the Governor of Virginia Copy of resolution of 10th Inst. confirming the appot. of A. Dunscomb as Commisr. of said State.[24]

12th. Transmitted to James Milligan Esq. Copy of the above and also of the Appot. of Thomas Jefferson as Minister to the Court of Versailles.[25]

Delivered Col. Beatty two Copies of Resolution of 11 February relative to Accounts of Major Hopkins.[26]

Transmitted to the several States from New Hampshire to Georgia inclusive 2 Copies to each of the proceedings of Congress from 1st November 1784 to the 1st February 1785 inclusive.[27]

Deliver'd the following Members One Copy each of the above viz Mr. Foster, Mr. Long, Mr. Holten, Mr. King, Mr. Ellery, Mr. Howell, Mr. Cook, Mr. Johnson, Mr. R. R. Livingston, Mr. W. Livingston, Mr. Platt, Mr. Beatty, Mr. Cadwallader, Mr. Stewart, Mr. Henry, Mr. Gardner, Mr. McHenry, Mr. J. Henry, Mr. Hindman, Mr. Hardy, Mr. Monroe, Mr. Lee, Mr. Grayson, Mr. Williamson, Mr. Spaight, Mr. Sitgreaves, Mr. Bull, Mr. Pinckney, Mr. Houstoun, Mr. Grayson.[28]

14. Transmitted James Milligan Esq. Six Copies of the above.

17th. Forwarded to the Gentlemen appointed Commisrs. of the Board of Treasury One Copy each of resolution of 15th relative[29]

Transmitted Mr John Brown a Letter of Secy. of Congress enclosing—Copy of Act 20 December 1784 ditto

Ordinance 23 Ditto relative to fœderal buildings & the Appointment of Commisrs. to carry the same into execution.[30]

21st. Transmitted James Milligan Comptroller of Accounts

Copy of resolution of 15th Inst. relative to security to be given by Commisrs. of the Bd. of Treasury.[31]

ditto of 15th relative to appointment of their Commisrs. for treating with Southern Indians &c. &c.—2d Copy sent him[32]

Copy of Appointment of Mr J. Brown as one of the Commisrs. for carrying into execution the Ordinance of 23d Decemr. 1784[33]

Copy of resolution of 16th Inst. relative to an allowance of 1500 dollars to R. R. Livingston late Secrety. for Foreign Affairs.[34]

Copy of ditto of 17th Inst. relative to an advance of 3266 66/90 dollars to His Excellency Governor Clinton.[35]

50 printed Copies of resolution of 17th Inst. calling upon all persons having unliquidated Claims against the U.S. to bring them in for adjustment within One twelve month from the above date &c. &c.[36]

Transmitted to the several States one Certified Copy of the above under cover of a Letter from the Secy. of Congress (Vide his Letter Book).[37]

22d. Transmitted James Milligan Esq.

Copy of resolutions of the 18 relative to Indian Affairs.[38]

ditto the Appointment of 5 Commissioners—21st Inst.[39]

Copy of an Order of 21st Inst. referring A. Stewart's Memorial to the Pay Master General (Originals with Copy of said Order directed to Mr Pierce sent to the care of Mr Milligan)[40]

Copies of resolutions of 21st Inst. in favour of—

Lieut Col. Lewis Attayataghiangta—for 600 dollars with Interest[41]

Timothy Devine a Canadian—for 60 Dollars[42]

Doctor Pellon Ditto—for ditto[43]

Copy of resolution 21st Inst. directing Secy. in War Office to discharge Troops not in actual service—Board of Treasury to pay said Troops out of requisitions for 1784.

Deliverd. Attayataghiangta, Devine & Pellon each a Copy of a resolution of 21 Inst. (as above) with Presidents Warrant annexed.

Sent Secy. in War Office Copy of resolution of 21st Inst. relative to discharging Troops not in actual service &c.

23. Deliver'd R. R. Livingston Copy of Resolution of 16 Inst. allowing him 1500 dollars &c.[45]

Sent to the Secretary in the War Office—

Copy Resolution 22 Inst. directing Mr. Hillegas Esq. to advance to P. Audibert depy. Pay Master Gl. 608 dollars Amot. of subsistence due Officers in service for February & March.[46]

do.of d. of 22d Inst. in favour of Major North.[47]

Transmitted Mr. Milligan Copies of above 2 Resolutions as also report of a Comte. on a Letter H. Remsen[48] referred to him to take order.

Sent to War Office Copy of Resolution 22d Inst. respecting Lieut Col. Derricks.[49]

Sent to Joseph Pennell a Report of a Committee on a Letter 11th Inst. from him—referred to him to take Order.[50]

24. Vide Secretary's Letter Book for transmission of sundry papers relative to proposed Treaty with Southern Indians.[51]

Sent to the President 2 Copies of resolution of 18th Inst. relative to the proposed Treaty with the Indians at Post Vincent,[52] One Copy endorsed A. Lee Esq.

Sent to Oliver Wolcott & Richd. Butler each a Copy of the above.

Vide Secretary's Letter Book for transmission of sundry papers to the president of New Hampshire & The Governors of Rhode Island & Massachusetts.[53]

30. Sent to the Governor of New York Copy of Memorial of Merchants of the City of New York—as also a resolution of 28th Inst. referring it to the Legislature of said State.[54]

31st. Deliver'd Mr Pinckney One sett of Bishop Willson's Works.[55]

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson and John Fisher. A continuation of Thomson's Memorandum Book, February 4–28, 1785.

[1] See *JCC*, 28:112n, 197n, 622n.

[2] Following this entry the following receipt, signed by Walter Livingston, appears in the memorandum book: "Recd. March 3d. 1785 from the Secretary's Office of Congress a Letter dated 21st October 1782 from the Supt. of Finance to Congress," for which see Morris, *Papers* (Ferguson), 6:635–38.

[3] *JCC*, 28:115.

[4] For the March 1 appointment of William S. Smith as commissioner to the Kaskaskia and Illinois settlements, see *JCC*, 28:87, 106n, 112n.

[5] *JCC*, 26:112–17.

[6] Ibid., pp. 274–79.

[7] Secretary Jay's March 2 (not 3) report on Richard Soderstrom is in PCC, item 80, 1:89–92; the February 23 representation of Sears & Smith is at item 78, 21:353–59.

[8] That is, the treaty negotiated October 22, 1784, at Fort Stanwix, and that of January 21, 1785, at Fort Mcintosh. See *JCC*, 28:423–26.

[9] Ibid., pp. 424–26.

[10] Ibid., pp. 111–12.

[11] Ibid., pp. 114–15.

[12] Ibid., p. 81.

[13] Ibid., p. 121.

[14] See Thomson to Henry Knox, March 9.

[15] *JCC*, 28:115.

[16] Ibid., p. 121.

[17] Ibid., p. 129.

[18] Ibid.

[19] Ibid.

[20] Ibid., p. 130.

[21] Samuel Parson's letter is in PCC, item 78, 18:535–37.

[22] These enclosures have not been identified, but Parson's receipt for them is at ibid., p. 529.

[23] Transcripts of these documents are in PCC, item 120, fols. 26–31.

[24] *JCC*, 28:133–34.

[25] Ibid., p. 134.

[26] Ibid., p. 58.

[27] This printing of the journals has no separate bibliographic identity, but was later bound with subsequent sections of 1784–85 congressional proceedings, for which see *JCC*, 29:931; and Evans, *Am. Bibliography*, nos. 19,315–19,316.

[28] Grayson's name was apparently inadvertently repeated.

[29] That is, relative to the security required of the newly appointed commissioners of the treasury, for which see *JCC*, 28:38, 158–59.

[30] John Brown (of Rhode Island) had been appointed as commissioner for laying out the new federal town in the place of Philip Schuyler who had declined the appointment. See *JCC*, 27:696, 704, 28:165.

[31] See note 29.
[32] *JCC*, 28:160–62.
[33] Ibid., p. 165.
[34] Ibid., p. 166.
[35] Ibid., p. 170.
[36] Ibid., pp. 166–69.
[37] See Thomson to the States, March 18.
[38] See *JCC*, 28:172–73.
[39] Ibid., pp. 183–84.
[40] For Congress' response to Alexander Stewart's memorial, see ibid., pp. 37, 185–86.
[41] For the compensation awarded the Oneida chief Louis Atayataghronghta, see ibid., p. 185.
[42] Ibid., p. 186.
[43] Ibid.
[44] Ibid., p. 185.
[45] Ibid., p. 166.
[46] Ibid., p. 188.
[47] Ibid., p. 191.
[48] Ibid., pp. 191–92. Remsen's undated letter ("Read 14 Feby 1785"), seeking reimbursement for public funds that had been stolen from him, is in PCC, item 78, 19:475–78. A copy of the March 22 committee report on Remsen's appeal, recommending that "he be Credited with the sum of fixty six dollars stolen out of his trunk," is in PCC, item 123, fol. 8.
[49] See *JCC*, 28:190.
[50] Ibid., p. 191.
[51] See Thomson's March 24 letters to Certain States, to Samuel Elbert, and to the Indian Commissioners.
[52] *JCC*, 28:180–81.
[53] See Thomson to Certain States, March 28.
[54] See *JCC*, 28:14n, 199–200. The merchants' December 14, 1784, petition, appealing for relief from "the peculiar hardships . . . [they] had sustained by the Depreciation of the Continental Currency," is in PCC, item 42, 5:431–32.
[55] See Thomson's Memorandum Book, April 5–29, note 6.

Charles Thomson to Sundry Printers

Sir Circular March 1st. 1785.

The United States in Congress Assembled having been pleased to repeal the instructions given to me on the 2d December 1784 respecting Newspapers, it becomes my Duty to inform you thereof, and to desire you not to send forward any more papers after the receipt of this, until you may receive farther Orders.[1] You will please to send in your Account for the papers furnished that steps may be taken for the payment thereof.

With due respect I am, Sir, Your most obedient and most humble Servt. C.T.

LB (DNA: PCC, item 18A). Endorsed: "Sent to Messr Hall & Sellers, Dunlap & Claypole, Thomas Bradford, Francis Bailey, Eleazer Oswald, Isaac Collins, J[ohn] McLean, [John] Holt, S[amuel] Loudon, Shepard Kollock."

[1] For this February 28 directive to Thomson, see *JCC,* 28:108. It had its origin in a motion offered on January 17 by David Howell for providing Congress regular subscriptions to newspapers from each of the states, not just those from Pennsylvania, New Jersey, and New York as specified by Congress on December 2. Howell's proposal had been opposed by Hugh Williamson, however, who countered that Congress should be supplied only with newspapers "published in the place of their present Residence," and to resolve the difference both motions were referred to committee. *JCC,* 28:5.

For the previous instruction herewith repealed, see Thomson to Sundry Printers, December 2, 1784. In keeping with the earlier order, adopted when Congress was at Trenton, Thomson had ordered 40 copies each of the newspapers published by these ten printers—five of whom were from Pennsylvania, four from New York, and one from New Jersey. But he was now instructed to subscribe to one newspaper from each of the states except New York, which was to supply three, for which see the two following entries.

Charles Thomson to the Delegates to Congress

Gentlemen Circular March 1st. 1785.

The United States in Congress Assembled having been pleased to direct me "to take order that they may be supplied with three copies of such News paper from each State as may be published by the printer for the State, or by such other printer as the Delegates from the State may recommend, to be filed in the Office of the Secretary and in the Committee rooms in such manner that they may be preserved and ready for Occasional inspection,"[1] I have to request the favour of you to give me the Name of the printer for your State, or such other printer as you will be pleased to recommend, that I may proceed to carry the above order into Execution.[2]

With due respect I have the honor to be, Gentlemen, Your most obedient and most humble Servt, C.T.

LB (DNA: PCC, item 18A). Addressed: "The honorable the Delegates for the States of Newhampshire, Massachusetts, Rhodeisland, Connecticut, New Jersey, Pensylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina & Georgia."

[1] See *JCC,* 28:108; and the preceding entry.

[2] The following responses from the various state delegations are known.

The New Hampshire delegates, on March 2, recommended the *New Hampshire Gazette,* "Printed by Daniel Fowle Esqr. residing in Portsmouth." PCC, item 59, 1:181.

Joseph P. Cooke replied on March 2 that he was the only Connecticut delegate attending and could not give an official answer but recommended "the Newspaper of Messrs. Hudson and Goodwin, printers in Hartford." And on April 7 Cooke and William Samuel Johnson officially recommended the *New Haven Gazette,* "published by Messrs. Meigs, Bowen and Dana." Ibid., pp. 173, 185.

Charles Stewart writing in behalf of the New Jersey delegates on March 3 recommended "the Newspaper published by Isaac Collins of Trenton." Ibid., p. 191.

The North Carolina delegates on March 3 wrote that "Mr. Thomas Davis of New Bern, printer of the *North-Carolina Gazzette,* is the only printer at present who publishes a Newspaper. . . ." Ibid., p. 203.

William Houstoun of Georgia on March 3 recommended "the Paper printed by James Johnston in the Town of Savannah." Ibid., p. 211.

The Massachusetts delegates on March 7 recommended the "weekly Gazette" of "Messieurs Adams and Nourse of Boston." Ibid., p. 177.

The Rhode Island delegates on March 7 recommended the *Newport Mercury* published by Henry Barber. Ibid., p. 183.

The South Carolina delegates, on March 7, recommended "Mr. Miller printer to the State of South Carolina," but on April 14 changed the recommendation with the following explanation to Thomson: "Mrs. Timothy having been lately appointed Printer to the State the delegates of South Carolina think it their duty to request that the papers from that state be in future furnished from her for the use of Congress." Ibid., pp. 207, 213.

The Maryland delegates on March 30 recommended "Mr. Goddard of Baltimore Town." Ibid., p. 199.

Joseph Gardner, in behalf of the Pennsylvania delegates, on March 31 recommended "Messrs. Dunlap and Claypoole of the city of Philadelphia." Ibid., p. 195.

And John Vining of Delaware on July 8 recommended "Mr. Jacob A. Killen in Wilmington." Ibid., p. 215.

No recommendation from the Virginia delegates has been found. For the New York delegates, see the following entry.

Charles Thomson to the New York Delegates

Gentlemen March 1st. 1785.

The United States in Congress Assembled having been pleased to direct me to take order "that they be supplied every day on which a News paper is published in the place of their residence with a copy for each member and three copies to be filed of such paper as may be recommended by the Delegates from the State,"[1] I have to request the favour of you to give me the titles of the several News papers which you will be pleased to recommend, that I may proceed to carry the above order into Execution.[2]

With great Respect, I have the honor to be, Gentlemen, Your most obedient and most humble Servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "The honorable The Delegates for the State of New York."

[1] See *JCC*, 28:108; and the two preceding entries.

[2] For the recommendations of the New York delegates, whose March 3 response to Thomson is in PCC, item 59, I:189, see Thomson to Samuel Loudon, Shepard Kollock, and John McLean, March 3.

Charles Thomson to John Jay

Dear Sir, Office of Secy. of Congress, March 2. 1785.

I have recd. your favour of the 1st and in answer thereto beg leave to observe that by the 26 Article of the treaty with Sweden and the 29 Article of the treaty with France "the two contracting parties grant mutually the liberty of having each in the ports of the other Consuls, vice

Consuls, Agents and Commissaries whose function shall be regulated by a particular agreement."[1] No agreement has yet been entered into for this purpose with either of those Courts. But it has always been thought necessary for foreign Consuls to make known their appointments to Congress, who thereupon order the Commissions to be registered and an Act of recognition to be sent to the States who are called upon to furnish the said Consuls respectively with an exequatur or notification of their quality. See 7 Septr. 1781.[2] Till this is done it has not been usual for any state to acknowledge any Consul from a foreign power. On the 3d of Decr. last Mr Charles Hellstedt produced a Commission from his Swedish Majesty dated the 22 Septr. 1783 appointing him Consul. This Commission is registered & acts of recognition have been sent to the States.[3] But I do not find that Mr Richard Soderstrom is known to Congress as consul of Sweden for any of the States in the Union.

With great Esteem and regard I am, Dear Sir, Your most obedt Servt
Cha Thomson

FC (DNA: PCC, item 59). In the hand of Charles Thomson.

[1] Jay had asked "whether it has not hitherto been the practice, and considered as made necessary by the Confederation, for foreign Consuls to make known their appointments to, and obtain the approbation of Congress, previous to their assuming that character in any of the States. If that be the case, be pleased further to inform me whether Mr. Richard Soderstrom is known to Congress as Consul of Sweden, in the State of Massachusetts." PCC, item 120, 1:20; and *Diplomatic Correspondence, 1783–89*, 3:797.

Soderstrom, after unsuccessfully trying to present his commission to Congress at Trenton in November, had subsequently presented it to Governor John Hancock of Massachusetts, who had accepted and proclaimed it on February 13. Jay viewed Hancock's action as "premature" and was collecting evidence for a report to Congress, which he submitted this same day, recommending "that a Letter be immediately written to the Governor of Massachusetts, informing him of what has hitherto been, and ought to be, the Practice in such cases; remonstrating against his Deviation from it, and insisting that the Powers delegated to Congress, by the People of the United States, be not exercised by any other than the fœderal Government." Jay also heatedly advised that he be authorized to write a letter "to the Minister of Sweden, stating the disrespectful and unprecedented manner in which the said Richard Soderstrom has endeavoured to enter on the Execution of his Commission, and requesting that he may be forthwith dismissed, with such Marks of his Majesty's displeasure, as may discountenance the like Liberties in future." PCC, item 80, 1:89–92.

Jay's recommendations were referred on March 4 to a committee consisting of James McHenry, Samuel Hardy, and Charles Pinckney. Jay continued to investigate the matter himself, however, partially in response to the demands of the New York mercantile firm Sears & Smith which charged that Soderstrom had obtained Massachusetts' recognition of his consular status to shield him from a legal action by the firm, and eventually submitted a new report withdrawing his previous recommendations when he learned that the charge was erroneous. In this the Massachusetts delegates to Congress had been instrumental, writing a number of letters to their constituents to ascertain the facts of the case and to avoid a confrontation between Congress and Massachusetts. These efforts succeeded on May 25 when they secured the adoption of a motion for recognizing Soderstrom's consular status by Congress and recommending that his commission be registered at Boston. See *JCC*, 28:121n, 361n, 393; PCC, item 81, 1:219–21; and Rufus King to Jay, April 8, 1785. The entire story has been told in Gary D. Olson, "The Soder-

strom Incident: A Reflection upon Federal-State Relations under the Articles of Confederation," *New-York Historical Society Quarterly* 55 (April 1971): 109–18. See also Thomson to Jay, September 13, note 2.

[2] Thomson is referring to Congress' recognition of Philippe-André-Joseph de Létombe as consul general of France for the New England states, for which see *JCC*, 21:940–41; and these *Letters*, 18:10, 68.

[3] For Congress' recognition of Hellstedt, see Thomson's Memorandum Book, December 6–24, note 1.

Hugh Williamson to Thomas Ruston

Dear Sir New York 2nd March 1785

By last Post I recd a Letter from a Gentleman who lives near your Estate in Virga. He informs me that Col. Henry Reddick & Mr. Pugh at present are in Possession of the Lands but are ready to give them up as soon as certain Legacies shall be discharged to the Amot of £400 Slg. The Land he says is worth £1500 Slg, he promises to give further particulars when he is better informed. On the 2nd Octr last I wrote you,[1] probably to the full exercise of your Patience, & shall not repeat in detail. I told you in genl. that a small Share consisting of 1000 A[cre]s of the great Dismal, joining your Land, may be purchased @ 3/4 Dlrs per Acre. The Company have it in contemplation to dig a Canal through the Dismal, to drain some of the lowest grounds and to carry off the Timber. I informed you also that 10 or 12 Thousd As. survey'd and Patented in the Western part of our State may be purchased @ 40 Dlrs per hundd As. I have not been on those Lands but they are said to be extremely good. Our State made a present of 25,000 As. to Genl Green in that District, he told me lately that he had refused 1 Dlr per Acre for the whole in Specie. As I have 5000 As. which I recd a Present from the State in the same District and much more that I have bot. or recd in paymt. of debts due me by the State you may presume that I have been very attentive to Questions respecting the Quality of those Lands.

Our Commissioners have just finished a second Indian treaty at which the several Tribes concerned have ceded to the United States about 12 or 14 millions of As. I presume that we shall soon open an Office for the sale of those Lands. I think the Price will hardly be lower than a Dlr per Acre, hardly so little, but public securities will be taken in Paymt and they may be purchased much below par. Some People fear that our Western Country may be affected by some claims which the court of Spain are said to have made to the exclusive navigation of the Mississipi, If you have heard of such claim you hardly thought it serious. You certainly did not believe that the Court of Spain was disposed to irritate or provoke a Nation who in a few Years must be sufficiently numerous to eat up the Dons in a month if they

were reduced to Rations of 12 Ounces, and who could reduce them to that size if they were so disposed. In fact every sober Politician in this country reprobates the Idea of attempting to touch the Gold or Silver Mines of America; they are destructive as the Plague of the human Race. The Spaniards will certainly be so prudent as suffer us to cultivate our Lands. They will furnish us occasionally with a few Dlrs & we shall fairly give them in Exchange a few Brls of Flouer.

On the 24th ult Mr Jno Adams was chosen resident Minister from the US for the Court of London & yesterday Colo Smith a native of this State & formerly one of Genl Washingtons aids was chosen Secy. of the Legation. Unless England shall within a short Time admit us to her West Indies trade we certainly shall take such Steps as will be very injurious to her manufacturers, to the great emolument of the French & Dutch to whom by the way, many good Citizens of these states wish a much larger share of our Commerce than they have hitherto enjoyed.

An Acquaintance from Pensylva. has just given me some memorandums which I shall transcribe for your Information lest the Persons, whose Duty it is, should not have embraced the first conveyance.

Your Father who paid the last debt to Nature towards the End of Jany has left you the whole of his Estate except as follows. He has left—To his Son John £350 Pensy mony and one or two negro boys. To his Daughter Louisa £300. To Betsy 150 As. of the upper Tract. To his Widow £500. She had been entitled to £300 by marriage contract, £200 have been added, she is to quit the Estate on the next Spring. To your Sister Sally was left some Piece of mony as a Proof that she had been considered formerly. If there had been any doubts whether you would come over this spring or Summer I presume this incident would remove them.

Be so good as present Mrs Ruston with my Respects & believe me to be with the utmost Consideration, Dear sir, Your most obedt & very hble Servt, Hu Williamson

RC (PHi: Tench Coxe Papers). Addressed: "Doctr. Thomas Ruston, Physician, Exeter [England]."

[1] Actually November 2, for which see Williamson to Ruston, November 2, 1784.

Walter Livingston to John Tayler

Sir,[1] New York March 3d, 1785.

Your favor of the 17th Ulto. was delivered to me by Mr. Bonthillien[2] from Montreal and I am sorry it was not in my power to render services to a gentleman recommended by you.

Not one of the gentlemen appointed Commissioners of the Treasury have as yet accepted the trust, neither have Congress any assurances

that they will. The distance of their residence from this place, has been the cause of our not hearing from them. Mr. Bonthiellien is going to Philadelphia. I have advised him to apply to the Auditors Office and on his return to call on me again which he has promised to do.

With esteem, I remain, Your Huml. Serv.,

Walter Livingston

Tr (DLC: Burnett Papers). Endorsed: "From the collection of Mr. Fred M. Steele of Chicago [*ca. 1934*]." Addressed: "John Taylor Esqr. Albany."

[1] Although nothing is known of the recipient of this letter beyond the address quoted, it seems likely that he was the prominent Albany merchant John Tayler (1742–1829), who was also a regular correspondent of New York delegate Ezra L'Hommedieu, for whom see these *Letters*, 17:500n.1.

[2] Not identified.

Charles Thomson to John Jay

Sir, New York March 3d. 1785

On the seventeenth[1] of May 1784 twenty Commissions were made and sent by Mr. Jefferson, for Messrs. Adams, Franklin & Jefferson, all dated the 12th May agreeable to a form prescribed by Congress and entered in their Journal for foreign affairs page 257.

As the form of the Commission contains blanks, those blanks were filled as follows.

For Russia

1 blank "The Subjects of her imperial Majesty of all the Russias"
2 ditto "Her said Imperial Majesty"

Vienna

Was I think left blank to be filled by the Ministers, it not being known whether the Emperor would treat in that quality or under some other title for his hereditary Dominions

Prussia

1 blank. "The subjects of his Prussian Majesty"
2. "His said Prussian Majesty"

Denmark

1. "The subjects of his Majesty the King of Denmark"
2. "His said Majesty the King of Denmark"

Great Britain

1. "The Subjects of his Britannic Majesty"
"His said Britannic Majesty"

Spain

1. "The subjects of his Catholic Majesty"
2. "His said Catholic Majesty"

Portugal

1. "The subjects of her most faithful Majesty of Portugal"
2. "Her said most faithful Majesty of Portugal"

Naples
1. "The Subjects of his Majesty the King of the two Sicilies"
2. "His said Majesty the King of the two Sicilies"

Sardinia
1. "The subjects of his Sardinian Majesty."
2. "His said Sardinian Majesty."

Ottoman Porte
1. "The subjects of the sublime Porte"
2. "The said Sublime Porte"

Morroco
I think was left blank

In the following Commissions there was a transposition so as to leave the first blank after the word "America" thus whereas an intercourse between the Citizens of the United States of America and—

Saxony
1. blank "The Subjects of the most Serene Elector of Saxony"
2. "The said most Serene Elector"

Hamburg
1. "The Imperial City Hamburg"
2. left blank

Genoa
1. "The most Serene Republic of Genoa"
2. "The said most Serene Republic"

Tuscany
Left blank.

Rome
1. "The dominions of his Holiness the Pope"
2. Blank.

Venice
1. "The most serene Republic of Venice"
2. "The said most Serene Republic"

Tripoli
1. "The City and Kingdom of Tripoli"
"The most illustrious Lords and governors of the said City and Kingdom of Tripoli"

Tunis
1. "The people of the State and Kingdom of Tunis"
2. "The Regency or government of Tunis"

Algiers
1. "The Subjects of the Dey and government of Algiers."
2. "The said Dey and government of Algiers."

With great Respect I am, Dear Sir, Your most obedient humble Servt. C.T.

LB (DNA: PCC, item 18A). Tr (DNA: PCC, item 120).

[1] Actually sixteenth, for which see Thomson to Thomas Jefferson, May 16, 1784.

Charles Thomson to Samuel Loudon, Shepard Kollock, and John McLean

Sir New York March 3d. 1785

The United States in Congress Assembled having directed me to take order that they be supplied every day on which a News Paper is published in the place of their residence with a Copy for each Member and three Copies to be filed, of such paper as may be recommended by the Delegates from the State; and the Delegates for this State having recommended Loudon's New York Packet, Shepard Kollock's New York Gazette & the Independent Journal by Mr. J. McLane & Co. I have to request you to furnish Congress with forty Copies of your paper every day the same is published.[1]

I am Sir, Your Obedient humℓ servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "Mr. Samuel Loudon, Mr. Shepard Kollock, Mr. J. McLean & Co."

[1] See Thomson to the New York Delegates, March 1.

Charles Thomson to Sundry Printers

Sir, Secretary's Office 3 March 1785

The United States in Congress Assembled having directed me to take Order that they be supplied with three Copies of such Newspaper from each State as may be published by the Printer for the State or by such other Printer as the Delegates from the State may recommend;[1] And the Delegates for ——— having recommended the ———,[2] I have to request the favour of you to send forward three Copies of your said News paper in a regular series under cover directed to the Secretary of Congress.

I am Sir, Yours &c. C.T.

LB (DNA: PCC, item 18A).

[1] See *JCC*, 28:108; and Thomson to the Delegates to Congress, March 1.

[2] At the foot of this page of Thomson's letterbook, the following explanation for filling in these blanks appears. "The Delegates from 12 States having recommended as follows (date of letters sent & to whom)... The blanks above were filled accordingly."

Mr. Daniel Fowle	Mch 3d	for New Hampshire "The New Hampshire Gazette"
Messrs. Adams & Nourse	Mch 3d	Massachusetts
Mr. Henry Barber	do. 3d	Rhode Island "The Newport Mercury"
*(Messrs. Hudson & Goodwin)**	do. 3d	Connecticut
Mr. Isaac Collins	do. 3d	New Jersey "New Jersey Gazette"

Messr. Dunlap & Claypoole	do. 31st	Pennsylvania
Mr. Jacob A. Killen	July 12th	Delaware "Delaware Gazette"
Mr Wm. Goddard	do. 31st	Maryland Virginia
Mr. Thos. Davis	Mch. 3d	North Carolina "North Carolina Gazzette"
Mr Miller	Mch. 8th	South Carolina
James Johnson	do. 8th	Georgia

*"Messrs. Hudson & Goodwin" was lined out and the following substitution was penned in the margin: "8 April Miegs, Bowen & Dana, Pr. in Newhaven."

Elbridge Gerry to Timothy Pickering

My dear sir, New York 4th March 1785

I have but a Moment to answer your Letter of the 1st,[1] having many affairs to attend to before my Return to Boston which will probably be to Morrow or the next Day.[2] Your Letter I have communicated to Mr King, & I inclose a Report respecting the Land Office in form of an ordnance, which has had it's first Reading this Day & is to have a second on Wednesday next.[3] I wish You would attend to it, & inclose to Mr King such amendments as you suppose necessary to remedy the Evils complained of.[4] I will deliver the Money You sent me for my Bills to Mr King, in Expectation that You will Exchange them for his which are to the same amount, & send them to me defaced according to my former Request.

Adieu—yours sincerely E Gerry

RC (MHi: Pickering Papers).

[1] Pickering's March 1 letter to Gerry is in the Pickering Papers, MHi.

[2] Gerry was still in New York March 8, as George Partridge mentioned in a letter to Henry Knox of that date that he planned to return to Massachusetts with Gerry. In his accounts for his service this congressional term, endorsed by the Massachusetts Council January 18, 1787, Gerry later claimed compensation for "119 Days @ 33/ the Sum stipulated by the Legislature for attending Congress" during the period November 23, 1784, to March 21, 1785, and for "145 Days @ 33/ ditto," for the period June 25 to November 16, 1785, which included travel time from and to Massachusetts. Letters to Governors, M–Ar; and Partridge to Knox, March 8, 1785.

[3] See *JCC*, 28:114, 165, 251–56.

[4] See Rufus King to Pickering, April 15, 1785.

Charles Thomson to Robert Morris

Sir New York March 4th. 1785

The legislature of Virginia having informed their Delegates that a

farther examination into the Accounts of that State and of the inhabitants thereof, is prevented by the Resignation of Mr. Turner the late Continental Commissioner and that Mr. Andrew Dunscomb who has been appointed to succeed him cannot enter into the execution of his office until he shall have received from the Superintendant of finance, or board of treasury his Commission and his instructions; and they have instructed them to urge the qualification of the New Commissioner to enter upon and prosecute that Business. This being communicated to Congress they have directed me to apply to you for information, first respecting the appointment of the said Andrew Dunscomb, to succeed Mr. Turner, and secondly respecting his character and to what State he belongs. Your answer as spedily as possible will oblige me, who am with much Respect, Sir, Your most obedient and most humble Servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "R Morris Esqr. late Superintendant of Finance."

[1] Morris' March 7 reply, explaining Dunscomb's qualifications and enclosing copies of Zephaniah Turner's resignation, Dunscomb's application for the post, and Morris' nomination of him to Virginia, is in PCC, item 137, 3:845–47. For Virginia's instructions of December 30–31, 1784, to her delegates to obtain the appointment of a commissioner to resume work on the settlement of the state's Continental accounts, which had been referred to committee on February 16, see PCC, item 71, 2:419–22; and *JCC*, 28:70n. The committee's report, submitted February 23, merely recommended that Dunscomb be issued a commission by the Continental comptroller and "proceed in the business with all suitable dispatch," but Congress decided that Morris should be heard from before taking action on the recommendation and Thomson accordingly sent the present query. The matter was settled March 10 when Congress ordered the comptroller (James Milligan) to notify Dunscomb of his appointment and to furnish him with his commission and instructions. *JCC*, 28:97–98, 133–34. See also Virginia Delegates to Patrick Henry, April 2, 1785, note 1.

Elbridge Gerry to John Adams

My dear Mr Adams New York 5th March 1785

Since my last,[1] informing You of the Circumstances of your Appointment to the Court of London, Congress have elected Colo Smith of this State, Secretary to the Legation.[2] Several Candidates were presented to Congress, & my Friend & Collegue Mr King of Newbury port (whom I shall hereafter speak of, & whom I wish to introduce to your Confidence & Friendship) was of Opinion with myself, that it was indispensibly necessary to support such a person only, as might be relied on for supporting the Dignity & preserving (by an Attachment to & Respect for the principal) the Tranquility of the Embassy. We therefore previous to the Appointment, conferred with Colo Smith on the Subject, & candidly informed him, that confiding in his Integrity & Honor, & on his prudence in avoiding every Thing that might savour

of Intrigue against the Minister of the Legation, as well as on his firm Determination to discharge his Trust in fulfilling the reasonable Desires & supporting the Dignity of his superior in office, We should use our Endeavours to promote the Appointment mentioned; and should likewise continue our Endeavrs. to Support the Secretary, whilst he continued to evince the good Disposition We expected—And We further informed him, We should certainly be firmly opposed to him, should he ever contrary to our present Expectations evince a different Disposition. Colo Smith was so far from being displeased at this frank Conduct, that he appeared to be much satisfied with it, & gave such Assurances as from a Man of Honor are to be relied on, And as leave Us no Apprehensions of the Want of Your highest Approbation of his Appointmt. The military Character of Colo Smith stands high, inasmuch that no Officer of his Rank in the American Army stood fairer I beleive with the General, than this Gentleman. He has had a liberal Education, is a sensible Man & a polite one, & I cannot doubt that You will find him a Man of Honor, a good Companion, & one that merits your fullest Confidence.

My Friend Mr. Rufus King studied under Mr Parsons of Newbury port, is at the Age of about thirty eminent in the Law, has in a Year or two as a Member of the General Court of our State, so established his Reputation as to be appointed a Member of Congress, & in this Character, by a well informed firm & sensible Mind, an agreable person, & an elegant Address has already made progress in establishing a considerable Influence—he is a true Republican in principles & is in a System of politics that I have no Doubt Will in all essential points correspond with your own. I think You will be much pleased in opening a Correspondence with him, & that he will be very happy in continuing it. Adieu I am yours sincerely E Gerry

RC (MHi: Adams Papers).

[1] See Gerry to Adams, February 24.

[2] That is, William Stephens Smith (1755–1816), formerly aide to General Washington and ultimately Adams' son-in-law, who was elected to this post on March 1. See *DAB;* and *JCC,* 28:111.

James Monroe to James Madison

Dear Sir N. York. March 6. 1785.

The arrangment in our foreign affairs begins at length to assume some form. Upon whatever ground they were taken up for a considerable time, either with respect to France, Spn. or G. B., the same difficulties arose. If it was mov'd that {Dr. Franklin}[1] be permitted agreeable to his request to retire home it was firmly oppos'd by {R. Island} & {Massachusetts}. If that a minister be appointed to {Great Britain} it

was mov'd that those instructed to form commercl. treaties be instructed &ca. It was argued on the other hand that our affairs with these courts stood on their own ground respectively and that negotiations with each seperately & at their respective capitals wod. be more eligible & likely to produce success. It was at length mov'd by {Mr. Howell} that a {minister} be appointed to represent {U. States} at the {Court} of {Great Britain} and carried. Adams, R. R. Livingston & Rutledge were put in nomination. It had been previously, with the ill-founded expectation of facilitating this measure, mov'd, by Mr. Pinckney "that the commissions to foreign ministers unless renew'd by Congress shod. continue in force only for three years." This was negativ'd; but being agn. renew'd by the mover & press'd upon Congress from other quarters was at length carried.[2] Upon several ballots Adams had 5 votes, Livingston 4 & Rutledge 2, Jersey at length voted for Adams, having previously nominated & voted for Livingston, upon wh. Virga. & Maryld. joined in favr. of Adams & gave him his appointmt. Mr. Smith lately an aid to the general hath been since appointed secry. to the legation. A Mr. Trunbull of Connecticut was his only competitor.[3] Had this affr. come on upon the first meeting of Congress at Trenton the event must have been the same. 5 States, the 4 Eastern & Pena. were decidedly in favr. of Adams in preference to any other person, Jersey was at first dispos'd to commit our for. business to Adams & Jefferson only, and wod. therefore have voted Adams to the above {Court}. He wod. of course had the majority in Congress & the expedience of the measure wod. have superseded any difficulties with respect to the man. I suppose {Mr. Jefferson} will shortly be appointed in the room of {Dr. Franklin} to the {Court} of {France}. Carmichael writes that some person in the character of Chargé des affrs. will shortly be sent from Spn. instructed &ca. so that the affrs. with Spn. will sleep till we hear further on the subject. I have recd. letters from Mr. Jefferson of the 10th of Novr. & 11 of Decr. last.[4] In the former he considers war betwn. the Emperor & the Netherlands with their respective associates, the Empress with the Emp. & France, Prussia & the Porte with the Nether. as unavoidable. He considers the intermediate negotiation as an art only of the Imperial Courts to enable them to commence the campaign on better conditions; in the last he says the genl. opinion is there will be no war but that he sees no reason for it, except the indisposition of the Empress upon whose health the projects of the Emperor must depend. He believes that if it takes place Engld. will keep herself out of the scrape for the following reasons, ["]1. because she cannot borrow money to take part in it, 2. Ireland is likely to give her disturbance, & 3. because her disputes with us are not settled by a full execution of the articles of the treaty and the hatred of her people towards us has arisen to such a height as to prepare their minds for a recommenc'ment of hostilities shod. their govt.

find this desirable." If the war takes place & the states have the direction of their commerce upon fœderal principles I shod. suppose, provided we settle our affrs. with {Great Britain}, it will be advantageous to us. Every divertion wh. it creates to the vessels of other powers from the business of commerce must form an additional demand for ours and admit us gradually into the carrying trade. By his last letter I find that a correspondence had taken place between our ministers & the Duke of Dorset the B. minister at Paris upon the subject of a commercial treaty.[5] His Grace makes a previous stipulation on the part of his court "that a minister instructed &ca. by Congress repair to London." They say they are jointly authoriz'd to treat, that they have no objection that it shall be in London, from wh. I suspect they may be there at this time. The commission to Adams will perhaps find him there, but this will not give him powers singly to form a commercl. treaty.

The States of Mass. & N. York having previously agreed upon the members to constitute the Court enter'd also into a stipulation that the place of session shod. be determin'd by a majority of the States present in Congress. When brought before Congress, the delegation of Mass. propos'd Wms.burg & that of N. Yk., Wilmington. The former had 5 votes & the latter 4. Of course the decision agreeably to the covenant enter'd into by the two States was in favr. of the former. N. York was dissatisfied with the decision. Mass: mov'd that the Presdt. forward the letters to the gentn. appointed, upon wh. the displeasure of N. York was discover'd. Mr. Williamson movd "that the decision of Congress by 5 States under the agreemt. of N. Y. & Mass: under the confideration wh. requires 7 in all cases except &c was void."[6] Whether the States of Mass. and N. Y. had independently of Congress the right of fixing the place & might chuse any intermediate plan, wh. shod. be obligatory on themselves & the Union, or whether Congress had the power of controul became the question. Whenever it came before them a decision of the main question was always evaded by those of order, so that it was never taken. The two States at length agreed that whatever had been committed to the journals shod. be eras'd wh. was admitted. In this condition it remains. It is expected they will agree to some more northern position.[7] I am dear Sir very respectfully yr. frnd. & ser. Jas. Monroe

P. S. Since the appointmt. of Adams it seems generally agreed that some person shod. be sent to the Hague, but no one is yet thought of.[8]

RC (DLC: Madison Papers).

[1] Words printed in braces in this text were written by Monroe in cipher.

[2] See *JCC*, 28:75–77, 82–84.

[3] Probably Jonathan Trumbull, Jr. (1740–1809), who had also been an aide to Washington. The nominations were not recorded in the journals. See the preceding entry, note 2.

[4] Actually of November 11 and December 10, 1784. See Jefferson, *Papers* (Boyd), 7:508–13, 562–65.

[5] See Richard Henry Lee to George Washington, February 27, note 4.

[6] See New York Agents' Memorial, January 26, note 3.

[7] See the New York Agents' Journal of Proceedings, December 4–9, 1784, especially note 7.

[8] See Charles Stewart to William Livingston, March 25, note.

Charles Thomson to Thomas Jefferson

Dear Sir, New York March 6. 1785

I have received your favour of Novr. 11, with the pamphlets, for which I return you my hearty thanks.[1]

The report on animal magnetism gave me great satisfaction. Before I had heard of these experiments and of this report, I was greatly at a loss what to think of the matter. The Marqs. de la Fayette had come over quite an enthusiast in favour of it. He had got a special meeting called of the philosophical Society at Philadelphia and entertained them on the subject for the greater part of an evening. He informed them that he was initiated and let into the secret but was not at liberty to reveal it. He spoke of it as an important discovery which would be of great and wonderful advantage & that he himself had by means of it performed a surprizing cure on his passage. I was not present at the meeting for which I was sorry. Still however it appeared to me surprizing, that there should be a fluid pervading all nature capable of being collected and when collected of producing such wonderous effects as were mentioned and that no trace of it should ever before have been observed or noted in any of the various experiments that had heretofore been made on matter or motion. Having heard of the Shakers in this state, the agitations with which they were affected and with which they affected some who visited them from curiosity, I began to admit the opinion that they had by some means become acquainted with this fluid and that what they ascribed to the influences of the divine spirit was the effect of this unknown agent. The report you sent me has removed this doubt and though it has sufficiently demonstrated that Mr. Mesmer and his disciples have discovered no new property in nature yet it has itself made a very wonderful and very important discovery, namely to what degree the imagination can operate on the human frame.

I am much pleased with your description of the Cylinder lamp and wish for an opportunity of procuring one. The phosphoretic matches I have seen. They are sold in our toy shops. I think them a pretty invention, but am not much disposed to make use of them in the way you hint. I am in general obliged to be so much awake in the day that I sleep sound at night: or if I chance to awake in the night which is

but seldom, I find that solemn stillness a good opportunity to revolve some subject which I want to trace through its various relations and probable effects & consequences.

I would willingly subscribe for the Encyclopédie Methodique, But it appears to me as if I must bid adieu to the Sciences. My time and thoughts are so entirely engrossed with the duties and business of my office that I have no leisure to prosecute those philosophical researches I once was fond of, And from what I can see Congress seem disposed rather to encrease than to diminish those duties.

I am made very happy by Mr Jay's acceptance of the office for the department of foreign affairs. By him you will be supplied with the journals of Congress and regularly informed of their proceedings as well as of the state of our affairs in general, so that I need not trouble you on that head.

I long to see your answer to Mr. M[arbois]'s queries. I hope by this time you have found leisure to revise and compleat that work and have committed it to the press or at least struck off some copies for the satisfaction of your friends, among whom I hope to be ranked. I submit it to your consideration whether you do not owe it to your reputation to publish your work under a more dignified title. In the state in which I saw it I consider it a most excellent Natural history not merely of Virginia but of No. America and possibly equal if not superior to that of any Country yet published.

I thank you for your notice of Mr. Norris and shall be happy in every opportunity of testifying with what sincerity and respect I am, Dear Sir, Your affectionate friend & humble Servt.,

Cha Thomson

RC (DLC: Jefferson Papers).

[1] See Jefferson, *Papers* (Boyd), 7:518–19.

David Howell to Jabez Bowen

Sir, New York March 7, 1785.

I have the honor to enclose Copy of a resolution of Congress passed 16 Ult. on a motion of your delegates relative to Ox teams, &c. made in pursuance of instructions from the Assembly.[1]

No. 2 contains copy of a Treaty with the Indians entred into at Fort Stanwix Octo. 22, 1784.[2]

No. 3 contains copy of another Treaty entred into with more westwardly Indians at Fort McIntosh January 21, 1785.[3]

It is proposed to hold another Treaty about the first of June next with the Potowatamy, Tweightee, Ouabash & Illinois Indians at St. Vin-

cents on the Wabash river. This, it is hoped, with [will] finish this business for the present.

Dr. Lee, who was one of our Commissioners, tells me that these two Treaties have extinguished the Indian claims to upwards of 20,000,000 Acres. Tomorrow is assigned for a second reading of the Ordinance for opening a Fœderal land-office.[4] Mr. John Adams is appointed Minister plenipotentiary for the U. States at London—& Col. William Smith, of this State, Secretary to the Legation. Dr. Franklin has leave to return & Mr. Jefferson is to take his place. A successor to Mr. Adams at the Hague is to be appointed next Monday.

Dr. Johnson, having received news of one of his childrens lying at the point of death has left us a few days ago; in consequence of which ten States only remain on the floor. But I can with great pleasure assure you of the good disposition of the members to do business—And that an unusual harmony subsists in Congress at present. How long it will last I will not presume to predict, but I greatly fear that Schisms & hard words will ensue on some great questions soon to be brought before us.

Congress have been informed that Mr. Osgood proposes to accept a place at the Treasury Board. As soon as he can come forward & join Mr. Livingston a Board will be formed.

I have seen an account in a Philadelphia paper that a funding bill, on State funds, has passed in Maryland, similar to that proposed in Pennsylvania—& to that adopted long ago in New Jersey & Georgia.[5]

Congress are not informed of the payments made, or of the measures taken to make payments on the last requisition on the States—nor have they information what has been done by all the States scarcely on a single requisition or recommendation. This has led some to believe that it is necessary to extend the office of Secretary of Congress to the home department agreeably to the report of a Committee No. 4.[6]

It gives me pain to be under the necessity of saying that I am much in debt here & entirely out of Cash. I received no money from the Treasury before I came away & I cannot learn that any has been paid to my orders since. What am I to do? I have had serious thoughts of returning home—but I am unwilling to leave this City in debt. Members of Congress are, by priviledge, protected from civil Suits. I am therefore in no danger of a Jail—And have concluded to wait the event of another application to my old friend the Treasurer—to whom I must pray you to write in my behalf &, if possible, to point out to him measures to obtain for me a supply of Cash & to pay it to an order I have put into the hands of Capt. Lawton.

Colonel Partridge & Mr. Gerry, who have taken passage in Lawton, will pass through Providence & give you more particular information of our proceedings—to them I beg leave to refer you & subscribe, in haste, Sir, your most obedient & very humble servant,

David Howell.

RC (R–Ar: Letters to Governors).

[1] For Rhode Island's authorization to charge 1781 ox team contracts to its Continental quota, "with interest, from the time of advancing the same," as the result of a motion offered by Howell on January 24, see *JCC*, 28:16, 57, 71.

[2] See *JCC*, 28:423–24.

[3] Ibid., pp. 424–26.

[4] See Joseph Gardner to George Bryan, March 19, note 4; and William Grayson to George Washington, April 15, note 1.

[5] For an analysis of this continuing assault by the states on federal control of funding the federal debt, see E. James Ferguson, *The Power of the Purse: A History of American Public Finance, 1776–1790* (Chapel Hill: University of North Carolina Press, 1961), pp. 221–26.

[6] For this report, which was submitted by a committee chaired by Howell on February 25 and adopted on March 31, see *JCC*, 28:103–5; and Charles Thomson to Hannah Thomson, April 3, note 2.

Rufus King to Daniel Kilham

My dear Sir New York 8th. March [17]85.

You are not so obliging as I wish you to be—not a word from N[ewbury] P[ort] for near a month. I had determined to give you some political information, but you don't deserve it—so I will say nothing upon the subject.

I wish to know how you proceed in your affairs; how is honest Nat Carter? does he think of me ever as he smokes his pipe? if he does, pray tell him that I am gratified, that my idea associates with agreeable objects; for such alone pass the mind of a treaty smoker. You will oblige me in mentioning to Swett, that I am truly interested in his friendship, & prosperity; I think he deserves full as much as he has a prospect of obtaining; and this prospect is good *in the situation where* he is.

When I shall be fortunate in meeting him and you again, which I hope is not far distant, I think I can remark to him some ideas which will be to his benefit.

Smith I suppose gives you a dinner twice or thrice in the winter—you take your supper with him, hear a German battle, and ogle Miss Hannah once a week.

Marquand's family must be a society that you court; she is really a woman of goodness and of merit; I think comparing her character with such as I have met with since I left you, I shall return with an increased respect and esteem for her and my other country women.

I am gratified that the simple story of Werter has afforded you any amusement. I pray you to inform me of the sentiments of the Lady to whom I asked you to make an early loan of the volumes.[1] Will you permit me to ask the particular favor of you to present me *to her*, in the

tenderest sentiments of genuine friendship and esteem—her merits so superior to what I have usually found in her sex, and her undissembled friendship, require, & shall always receive, the homage of my most profound respect. To know that she reciprocates in some small degree my good opinion, would be a most flattering information; I should believe myself possessed of merit, and without Vanity, I should feel a very honorable pride—*this confidentially.*

I conclude with real esteem Your's &c R King

RC (NNC: King Collection).

[1] Probably the 1784 edition of Johan Wolfgang von Goethe, *The Sorrows and Sympathetic Attachment of Werther: A German Story, in a Series of Letters* published by Robert Bell in Philadelphia. Evans, *Am. Bibliography,* no. 18,501.

George Partridge to Henry Knox

Dear Sir New York 8th March 1785

This day Congress made choice of you to be their Secretary in the War Department, but it is rather doubtful with some of your friends whither you will accept on account of the difficiency of Salary, which now stands at only 2450 Dollars:[1] however I hope you will not decline meerly on that Score, for you are sensible that after making a tryal of six or 12 months, or indeed a longer period you will have it in your power to resign, if on trial you find the salary inadequate, & no addition is made, but I have no doubt but there will be an addition. It would have been set higher at the first, had not some Gentlemen supposed that a person would be elected, in or nigh this City, who could afford to serve for that allowance; whither this be a proper kind of œconomy is not determind.

I wrote a motion which I intended to have made relative to the subject we were talking of about the time I left Boston, but on consulting about the matter with some friends, twas thot best to postpone it till we saw the fate of the Election. Tis probable I may see you at Boston before you give an Answer to Congress on your appointment, for I trust you will not answer suddenly if you should think of a negative one as it is a place important to the Interest & Safety of the U. States. I shall take passage in the first packet with Mr. Gerry for Newport.

I am with high Esteem, yr. most Humbe Servt.

Geo. Partridge

RC (MHi: Knox Papers).

[1] See Elbridge Gerry to Samuel Hodgdon, February 7, note 2; and Charles Thomson to Knox, March 9, 1785.

Pennsylvania Delegates to John Dickinson

Sir New York March 9th. 1785

We have been honored with your Excellency's favor of date[1] incloseing the Memorial of the Merchants and Traders of the City of Philada. expressing their apprehensions of further depredations on their trade by the Barbary Corsairs if Speedy and Effectual Measures are not taken to prevent them, which has been laid before Congress.

And we are happy to inform you, Sir, & thro' you the Merchants of Philada. that Congress have not been inattentive to this Very important concern to which we believe they are well disposed to give every relief in their power. Our Ministers abroad have long since been authorized to negociate with the States of Barbary (in common with others) treaties of amity & commerce which we have reason to know have only been rendered ineffectual heretofore (with the Barbary States) for want of a Sum of money which Custom has Made absolutely necessary to purchase them.

Congress have lately appropriated for this purpose a Sum of Money not exceeding eighty thousand dollars Subject to the draughts of our Ministers.[2] A Gentleman well recommended for his integrity and personal knowledge of that Country will be charged with fresh dispatches to Europe in a Short time respecting this business who may probably be employed to carry into effect the wishes of congress at the court of the Emperor of Morrocco.[3]

Altho we ardently wish as much as possible to satisfy the anxiety of the Merchants upon this Subject, yet we request that no extracts may be taken or published as the Matter is yet Subjudice and any premature publication may have a tendency to delay if not prevent the proposed negociations and draw the unwary Merchant into a snare by Mistaking the intention for the fact. There is little reason to doubt but that Great Brittain will use all her influence to prevent any such treaties being made. As soon as Congress have taken their final determinations upon this Subject we will have the honor of communicating them as far as our injunctions of secrecy will admit.

Mr. Marbois in the name of the King his Master has made a demand of Longchamps, this has been under consideration for several days as the order of the day and has been postponed, when this great national question may be discussed is uncertain but there appears no disposition to hurry.[4] No moves have been made by the Connecticut Gentlemen upon the Wyoming business and we remain in the dark what the wish of the State is in that affair. If any determinations of the house take place we will be much oblidged by your Excellys. communication upon that Subject. Genl. Knox is appointed Secretary at war —the treasury is not yet formed, no official accts from Jarvais or Osgood whether they will serve or no.

We are with great respect, Sir, your Excellys. most obt & Very hble Servts, William Henry

Joseph Gardner

RC (PHi: Gratz Collection). Written by Gardner and signed by Gardner and Henry.

[1] Dickinson's February 17 letter and the enclosed memorial signed by 11 Philadelphia merchants are in *Pa. Archives*, 1st ser. 10:410–11.

[2] For this February 14 authorization, see *JCC*, 28:65–66.

[3] For John Lamb's employment in the effort to negotiate with the Barbary States, see Abiel Foster to Thomas Jefferson, March 26, note.

[4] See William Henry to George Bryan, February 26, note 2.

Jacob Read to George Washington

Sir New York, 9th March 1785

When I had the pleasure to see you last Summer at Mount Vernon I believe I informed you in answer to a question on the Subject that Congress had received a Copy of the Roll of Negroes &ca taken by the Commissioners for superintending the Embarkations at New York at the time of the removal of the Refugees and British Garrison from this City.[1] I now find I was mistaken and that the one I had seen in the Office of the Secretary of Congress was only of 168 Negroes being the last Inspection of the Whole and made on board some Transports at that time at Anchor at Staten Island. The General Roll never has been seen by Congress and is at this time Wanted to enable our Ministers in Europe to proceed to execute the Instructions of Congress of 1785 on the Subject of Negroes Carried off in Contravention of the Treaty of peace.

I request Your Excellency to forward the Document alluded to as early as possible.[2]

As I embark in a day or two for So Carolina to be absent for 2 or 3 Months I cannot flatter myself with the pleasure of any Correspondence with you till my return unless I can render you any service in Charles Town.[3] I beg you'l Command me in such Case without reserve and assure yourself I shall feel the greatest pleasure in obeying your Commands.

The Public Prints will ere this have informed you that Mr Jno. Adams is elected Minister to the Court of London. I had the happiness to succeed in my endeavours to send Col Wm Smith as Secretary to the Legation. Mr McHenry of Maryland now in Congress offered himself & there were sevl other Candidates but finding himself not likely to be elected Mr McHenry with a wonderful dexterity rose & nominated the very man whom he in a conversation with me had offered a great many arguments to defeat, it was the Colo's wish to stand



Jacob Read

on the Nomination of So. Carolina, but we were supplanted by this little Son of Esculapius, however Smith was at once Elected.[4]

Congress yesterday Elected Genl Knox Secretary at War. I put Colo. Walker of your late Family in Nomination & he had an Honourable support.[5] The sallary is Cut down to Twenty four hundred & fifty Dollars, not I am sure sufft to render it worth Genl Knox's acceptance. With this Idea I brought forward Col. Walkers name—he woud have been Elected but the New Englanders thought Genl Knox wou'd accept & rely on the future generosity of Congress to make him some Allowances of House rent, Travelling expenses, &ca.

From the want of a full Congress, the great National Questions still remain untouched & will not be Attempted till late in the Spring when tis hoped we may Assemble the whole force of the Union & try if we can act as a Nation, Which by the bye I very much doubt now the Common tye of danger is removed.[6]

Do me the favour to present my most respectful compliments to Mrs Washington.

I thank your Excellency for you[r] full Communications in Answer to my Enquiries, they afforded me great satisfaction & have confirmed sevl. Opinions I had early adopted.

I am with the greatest respect & regard, Sir, Your Most Obedt and Most Humle Servt, Jacob Read

RC (DLC: Washington Papers).

[1] For the commissioners' report to Washington and a discussion of his efforts to comply with Congress' directive to ascertain the number of blacks who had been evacuated by the British from New York in possible violation of the treaty of peace, see Washington, *Papers* (Abbot), Confederation Series, 1:50–56.

[2] No direct response from Washington to this letter has been found, but he explained to Charles Thomson on April 5 that it would be hazardous to send the rolls requested by Read, suggesting that copies of them could be obtained from the two "Commissioners for superintending the Embarkation" who were still in New York, Egbert Benson and William Stephens Smith. And Thomson subsequently reported that Congress was referring the matter to the secretary for foreign affairs, for which see Thomson to John Jay and to Washington, April 22, 1785.

[3] Read received leave of absence on March 8 and returned to Congress on July 25 or 26. See *JCC*, 28:130, 29:571, 575.

[4] See *JCC*, 28:106n, 111, 149–50.

[5] For the nomination of Joseph Carleton, Alexander McDougall, and Benjamin Walker as secretary at war on March 4 and Henry Knox's election to the post on March 8, see *JCC*, 28:121n; and Charles Thomson to Knox, this date.

[6] Congress' ability to act on public issues was also the subject of the following paragraph from a letter Read wrote to Charles Thomson from Charleston on April 26. "I wish you woud do me the favour to drop me a line on What Messieurs the Congress are about; how Stands Cabal, Gerry, Munro, Howell, & all the other great Men—how do my Colleagues? do they Attend business as they ought? I have seen a copy of the report of your grand Committee, it will not be liked here. Carolina has most certainly not had credit for her advances or she Coud not be Called on for near 200,000 Dollars—Unless indeed the pious New-Englanders think tis time to Carry their long projected Scheme into Execution & make the southern states bear the burthen of furnishing all the actual Money." Thomson Papers, DLC.

John Sitgreaves to William Blount

Dear Sir New York 9 March 1785.

Two posts ago I had the pleasure of writing you[1] in which I answered, in reply to your last Letter enquiring of the fate of the Bill of Exchange of Major Carnes, that it was paid, my reasons also for making use of this money, contrary to your wish expressed to me, were then stated. I am sorry necessity compelled it but I hope no Inconvenience will arise from it as I have long since written to Messrs. J G & T Blount informing them of this & requesting them to replace the amount of the Bill in the hands of Messrs. Stuart & Barr and place the same to my Account.[2]

Scarce any thing new has occurred since my last, except the appointment of Mr. Adams our late Minister at the Hague to be Minister Plenipotentiary to the Court of London, Colo. Smith late one of Genl. Washington's confidential Officers is appointed Secretary to that Legation, the Secretary at War is General Knox. A Minister at the Hague in the room of Mr. Adams is not yet appointed. Congress have much Business before them & I believe will not adjourn before July if they can then, as Dr. Williamson, Colo. Spaight & myself will all Return before the Month of May or in that Month I fear the Govr. will neglect to order on the other Delegates & the State will be unrepresented.

The late unfortunate Conduct of my Brother which I have just been informed of by my Father, gives me great pain & uneasiness, this Circumstance together with the present disagreeable situation of the Family & my own immediate Interest all concur in urging & inducing me to return as soon as possible, the only obstacle which by the bye is a great one is the want of Money or I shou'd have embraced this opportunity of returning. I fear there are little Hopes that my friends J G & T B will have it in their power to remit me enough for this purpose shortly, on this Consideration I shall be driven to the disagreeable necessity of taking Money on loan if I can, whether it can be procured here where I am wholly unacquainted is yet uncertain & doubtful. If I shou'd be successful in this Attempt I will (if I can get ready so soon) take passage in Hollister who lately arrived here from New Bern & will sail in five or six days.

Inclosed are the last papers, a Letter on the establishment of a Militia by Baron Steuben[3] and an Almanac.

My Hint with respect to returning immediately need not prevent your Brother from making me remittance as soon as he conveniently can because if I shou'd succeed in getting Money here, the sooner funds are placed me to repay, the less Interest & more satisfaction will arise.

Three Commissioners will be appointed by Congress to hold Treaties & conclude lasting peace with the Indians in the Southern

Department. We are now debating on their Instructions &c. What they will be, who they will be & when the Treaties will be held I cannot yet tell you.

I have had some thought of nominating the Speaker of the House of Commons or my friend Hawkins but I have some Doubts whether they will serve, I have come to no Conclusion on this subject.

I have written this in great Hurry during some long Debates you will no doubt make the proper Allowances.

My Comps. to Mrs. Blount & to my friend Singleton when you see him. I am Dear sir, With much Esteem & friendship, Your's sincerely,

Jno Sitgreaves

RC (Nc–Ar: Blount Papers).

[1] Not found.

[2] See Sitgreaves to John Gray and Thomas Blount, February 28.

[3] No such letter has been found, but for Steuben's views on the militia and "a peace establishment," see these *Letters*, 20:212n.1.

Charles Thomson to Henry Knox

Dear Sir, New York 9 March 1785

The United States in Congress assembled having been pleased to elect you to the Office of Secretary at War, I embrace with pleasure the earliest opportunity of communicating to you the Ordinance for ascertaining the powers and duty of the Secretary at War, the act establishing the Salary and the Minute of the election.[1] I have farther to inform you that the Office is removed to this city[2] and may venture to assure you that your acceptance & speedily entering on the duties of the Office will be highly agreeable to Congress.[3]

With great Respect, I have the honor to be, Sir, Your most obedient & Most humble Servt. Chas Thomson

RC (MHi: Knox Papers).

[1] For the enclosed January 27 ordinance and Knox's March 8 election as secretary at war, see *JCC*, 28:21–23, 115, 129. See also Elbridge Gerry to Samuel Hodgdon, February 7, note 1.

[2] For the removal of the war office from Philadelphia to New York by the secretary in the office, Joseph Carleton, see *JCC*, 28:23, 75, 120n.2.

[3] In his March 17 letter accepting this appointment Knox explained that he would "endeavor to be at New York about the 12th of next month" to undertake his duties. See PCC, item 78, 13:591–94.

William Grayson to George Washington

Dear Sir New York March 10th. 1785.

I had the honor of your favor of the 22nd of Jany.[1] just as I was setting of[f] from Dumfries, and I should have answered it from Mr. Orr's in Loudoun, where I was detained some time on account of Mrs. Grayson's illness, if I had not wish'd for more time to reflect on the subject matter of it: It would have giv'n me great pleasure (if my particular situation would have permitted) to have waited on you at Mount Vernon & to have convers'd with you on the occasion as I could in that case have entered more fully into the different circumstances than it is practicable to do by any communication on paper; I shall now however give you the best information in my power, as also my own sentiments with the utmost candor & sincerity; It was talk'd of by gentlemen of the House that some mark of attention and respect (not barely complimentary) should be paid you by your native Country; that the other States in the Union knew you only as an American, but that your own knew you as an American and a Virginian; the only difficulty was, how to fall on any expedient that might not wound your feelings on the one hand or be unworthy of the Legislature on the other; While matters remain'd in a situation altogether inconclusive, a gentleman of the Assy. made a motion respecting you, which it was thought adviseable to oppose on the principle of particular impropriety; however it was soon discovered from the temper of the House that if the question had been put it would have been carried without a dissentient as those in the opposition would also have voted for the measure; recourse was therefore had to intreaty & he was prevail'd on to withdraw it, on being promis'd a plan should be brought forward which should in some degree imbrace his views as well as the wishes of the House; accordingly the act which took effect was presented the next day, & immediately pass'd both Houses.[2] Some of the reasons which suggested it were these; It had appeared by conversations out of doors, on the passage of the river bills, that the House were anxious (as you had patronized them and opened their importance to public view) that the credit of the undertaking should be ascribed to yourself & it was wish'd that this might appear by some public act of the legislature; In pursuing this idea, it was thought that such an act might with propriety contain a grant of a certain number of shares to yourself which at the same time that it would be an instance of the attention of the House might also serve in part as a reason for taking up the sub-

ject and introducing the other matter; It was reasoned by those who countenanc'd this particular plan, that the grant when measured by the European scale (the only criterion by which it could be judged) was so relatively inconsiderable, as to exclude every idea of it's being looked upon as a reward for services; that the value of the subject was so precarious & depended on such a variety of circumstances as almost to prevent the sensation of property in the mind; That the act would carry to Posterity an evidence of the part you had acted in this great undertaking, the remembrance of which would be kept up by the possessions which were granted by the Assembly and retained by your family; That under every view of the subject it could be considered in no other light than the Act itself set forth, an honorable testimonial of the gratitude & affection of your native Country; The gentlemen who favored this particular mode, designedly contracted the number of shares in order to guard it against the objections which you now suppose it to be liable to, as the blank with equal facility might have fill'd up in such a manner as to have comprehended objects of much greater magnitude; The idea of your being subjected to the performance of any particular service never once occurred and so far from it's being suppos'd that you are in any degree circumscribed by the act I am perfectly satisfyed you will yourself confer the obligation by the acceptance; I will not pretend to say that the House do not wish you to devote some portion of your leisure reflections to the furtherance of this great national object; this is also I verily believe the case with every man in the state who has reflected on the matter; indeed numbers rest the success of the measure in a great degree on such an event; But then Sir this is hop'd for, not as the effect or condition of the act but merely as the result of your own inclinations; they suppose such a line of conduct will at the same time, be highly honorable to yourself & that this is one of those few great objects on which you can now with propriety fix your attention; The House I am convinc'd would feel very sensibly if they suppos'd you concieved yourself to be less independant on this account, or that any act of theirs should have a tendency to prevent you from offering your advice to your Country whenever you concieved it to be necessary.

These were the ideas which prevail'd in general on the occasion; there was a great variety of sentiments, and a great deal said about the matter particularly witht. doors where every man spoke his mind freely; indeed candor obliges me to inform you that there were not wanting some who thought you were plac'd in a situation which call'd for assistance of a very different nature from the present; With respect to what you hint as to it's being considered in the light of a pension, I am satisfyed it can never be the case under any view of the subject; indeed I cannot concieve there can be any such thing in our governments according to the ideas generally annex'd to it, and if instead of

a precarious unproductive property it had been the grant of an annuity from the United States, I think it would not have been liable to this appellation, for I look upon the uninfluenced grant of a free people in a very different light from a gift which proceeds from the caprice of Princes or Ministers and which is always supposed whether true or false to be founded on the principle of favoritism; this distinction is preserved in the Brittish constitution & is productive of sensations essentially different, the one conveying the idea of personal favor and the other that of acknowledg'd merit; if then the grants of parliament in a Monarchy are looked upon as highly honorable to the person who recieves them, how much stronger ought the impresssion to be in a republican government, where the principle of action is always suppos'd to be Virtue. Upon the whole however as you have plac'd so much confidence in me as to consult me on the occasion, and as the subject is a very delicate one, I would rather advise that you should not accept the grant at present in any other manner than that of acting under it, leaving your ultimate decision to time & future reflection. There are persons in the world interested in defeating the whole undertaking, and from motives of resentment alone might be induc'd to misrepresent the purity of your intentions, & though I have not the least doubt myself of the propriety of your accepting the grant yet it would be a painful reflection in me to think I had recommended a measure which had the most distant tendency in lessening you in the estimation of the world; it is certain if I had thought not it decidedly right, I never would have voted for it as a representative of the people; and I have every reason to believe that this was the case with every member of the House, who never would have offered a thing which they conciev'd it was improper in you to recieve; If you should at a future period and after the maturest consideration find yourself unalterably determined against converting it to your own use, you will always have it in your power to appropriate either the principal or profits to public purposes of essential utility; though this will contradict the desires and wishes of your fellow Citizens, and counteract the purposes which gave rise to the measure. I think it will be less objectionable than an absolute rejection in the first instance. It will shew a willingness on your part to comply with their request as far as your own sensations would permit you; I hope however that at some future period, and after you have thoroughly weighed all the circumstances, you will find yourself disposed as well from the propriety of the thing itself, as the impulse of your own feelings towards your parent State, to accept of the grant in the manner originally designed by the legislature, and that the same may go and descend to your representative agreable to their intentions; The Assembly of Virginia have no doubt a reguard for your interest, but I am satisfyed they have a much higher one for your personal fame & honor. I shall now leave this subject with observ-

ing that there are strong reasons to be urged against your parting with the power giv'n you by the act, and which in my opinion essentially reguards the success of the undertaking, but as your own feelings are connected with the subject I find a repugnance in pressing them in point of delicacy. I shall therefore leave them & their operations to the suggestions of your own mind making no doubt they will have such an effect as the magnitude of the object and your attachment to it's success may with propriety point out. With respect to the Aspen & Yew trees, I beg leave to acquaint you, that I sent to Sprigg's ford to see if the tree which the Doctr. had giv'n me had produc'd any scions, and was inform'd there were none; I then applied to Mr. Landon Carter who had several at his plantation on Bull run; Mrs. Grayson whom I left at Mr. Orr's promis'd me to carry them behind her carriage to Dumfries & to send them from thence to Mount Vernon together with any scions of the yew tree which she with the assistance of Doctr. Graham & Mr. R. Graham, might be able to procure. We have very little news here, Mr. Marbois has inform'd us there will be no war between the Emperor and the Dutch, & the Minister of the latter expresses himself to the same purpose, but neither have communicated the terms of the pacification.

Congress are engaged in a plan for opening their Land Office on the Western waters,

In recommending a plan for extending their powers in forming Commercial treaties,

In regulating the Post Office and in making a Peace establishment. They have directed a treaty to be form'd if practicable with the Piratical States on the Coasts of Africa; I expect a Minister will be appointed to the Court of Spain after the arrival here of Don Diego Gardoqui; & one I presume will be appointed to Holland in the room of Mr. Adams who goes to the Court of St. James.

I have the honor to be, with the highest respect, Yr. Affect. friend & most Obedt Servt, Willm. Grayson

RC (DLC: Washington Papers).

[1] See Washington, *Papers* (Abbot), Confederation Series, 2:280–82.

[2] For the act of the Virginia assembly vesting Washington with 50 shares in the Potowmack River Co. and 100 shares in the James River Co. for his role in opening both rivers to navigation, see ibid., p. 257n.1.

Richard Dobbs Spaight to James Iredell

Dear Sir, New York 10th. March 1785

I did not receive your favor of the 7 Feby untill a few days ago, and have taken the first leizure moment to answer it. Upon reflection I do

not think it would be so proper to have applied to the court to reinstate the report they had set aside, it would at least have the appearance of their having acted inconsiderately, which the characters of Judges in Equity ought not to admit of, and therefore it is better that the individual should suffer pro tempore, than the least flaw be discovered in the supreme court. As it is my disposition rather to make the best of the present, than to fret at what is past, I submit with patience to the delay, and must rest satisfied with the new Order of Reference. It is very immaterial to me who the referees are, pro[v]ided, they are disinterested men & capable of settling accounts. Mr. James Reed, Mr. Thos. Mclaine and Mr. John Hurst the persons appointed by the Second order of reference, would be perfectly agreeable to me, but I believe Mr. Hurst resides at Hillsborough—in that case suppose the two former, should agree upon a third person and proceed to the settlement it would be perfectly agreeable to me, if it would be so to Mr. Campbell. All I want is a final settlement so that I may receive whatever may be the balance, which I have been too long kept out of, and the want of which has rendered my situation not only irksome but very disagreeable.

Mr. Cruike has already a power of Attorney from me to Act for me in the district of Wilmington, and whatever he may do on my account, I shall be fully satisfied with. The claim against Waddle's Estate I am very Anxious to have settled, but fear nothing can be done with it till my return to No. Carolina; It is my intention, at present to be at New Bern by the 20th or 25th of May, unless some thing happens to prevent me which I do not foresee.

The only european news we have here is the war between the Emperor & the Dutch. The season admits of nothing else but the various Opinions of the politicians, whether the Controversy will be put an end to, by the negociations of the Winter or decided by Arms. For my part from every Acct. I have heard, am induced to be of the last Opinion. Its pretty certain that the only way of putting an end to it by negociation is, either, that the Dutch must give up the free navigation of the Scheldt, or the Emperor desist from his demands. The former are decided in not granting the free navigation of that river first because it is contained in that treaty which confirmed their freedom and Independence, and if they admit any of the Articles of that treaty not to be valid the others are equaly so. Secondly they have kept the Scheldt shut up for more than 130 years, without their right for so doing, having ever been disputed. On the contrary it cannot be supposed that the Emperor will recede from his demands; the ridicule it would throw on his character, to have made such, as he should be obliged to recede from for want of a sufficient force (the only right he had to plead) to oblige them to comply with would be too great, for a prince of such abilities and ambition as he is supposed to possess, to submit to.

Congress have lately appointed Mr. John Adams Minister to the Court of London, it was a step absolutely necessary to be taken, & I think has been delayed too long and its well for America if her saving policy don't cost her millions.

The holding of our Western posts contrary to the Treaty, her different arrangements in Canada & the lakes, added to the murmurs of the nation against America, and the restraints laid upon our commerce with them, Shew so hostile a disposition in the court of Great Britain towards us, that I think we should at least be prepared for any think [thing] that might happen. Yet the States seemed to be lulled into perfect security, few of them have organized & armed their Militia, still fewer have taken any steps to procure a sufficient supply of military Stores, without which no nation ought to be, and I think our situation at the begining of the late War for want of those Articles, ought to be a warning to America, never to be unprovided. The want of Money and the Unsettled State of Ireland, rather than the want of Inclination, will prevent them from renewing the controversy.

Mrs. Montgomery the Widdow of the late General of that name requested me to write to some of my Aquaintance in Edenton, to know what had become of the Statue (I believe it is) that was ordered by Congress to be erected to the memory of Genl. Montgomery. It was sent from France to Edenton and lodged in the hands of Messrs. Hewes, Smith & Allen, an Order of Congress passed at Annapolis for its being sent from thence to this city.[1] Shall I take the liberty of requesting you to make this enquiry and to inform me of the result?

I have the honor to be with great Regard & Esteem, Dear Sir, Your most Obedient & most humble Servant,

Richd. Dobbs Spaight.

RC (NcD: Iredell Manuscripts).

[1] See *JCC*, 27:504. Congress subsequently directed the board of treasury on April 29 "to have the monument of General [Richard] Montgomery transported to New York," and on November 28 the board announced its arrival. *JCC*, 28:321, 29:895n.

Richard Dobbs Spaight to John Francis Mercer

Dear Sir, New York the 10th March 1785

I recd. your favor of the 24th Feby. and am glad to hear that you are coming to this City—Pray what time do you expect to be here? Who is to procure lodgins for you and of what kind do you want them to be?

In my last[1] Informed you of the Appointment of Adams to the British court, Since which nothing material has taken place in Congress except the Appointment of Colo. Wm. Smith of this City Secretary to that Legation—and Genl. Knox Secretary at War, the number of Applicants, or persons nominated for this Office were numerous indeed.

Nothing new from Europe. As the Winter prevents any active operations between the Dutch and the Emperor, the politicians are amusing themselves, with the various speculations how the controversy will end, some are of opinion by negociations, others think it will be left to the decision of Arms. I confess I am of the latter opinion.

I don't know on what grounds the report respecting the opinion of the Judges of England are founded, the report is so, and the fact respecting the suit against B. McClanahan, are stated by himself in a letter to Congress,[2] I suppose the man would not have commenced the suit unless he had some hopes of success. I am with Esteem, Dear Sir, Your sincere friend, Richd. Dobbs Spaight.

RC (PHi: Etting Washingtoniana).

[1] Not found.

[2] Blair McClenachan, a Philadelphia merchant, had written to Congress from London on October 13, 1784, explaining that he had recently been arrested on a writ issued by the Court of King's Bench on a complaint by one J. Brag, who alleged that he had suffered damages of £3,000 in the capture in 1779 of his brig *Richmond* by the Pennsylvania privateer *Holker* owned by McClenachan. The letter had been referred to the secretary for foreign affairs on February 7 and Secretary John Jay's report had been read in Congress on February 11. Jay had concluded that the suit against McClenachan was "unquestionably ill founded, not being warranted by the Laws of War, nor consistent with the Treaty of Peace between that Country and this," but since no judgment had been rendered, "and probably never will be," no action would be required to obtain redress. See PCC, item 78, 16:423–26, item 81, 1:9–12; and *JCC*, 28:47n, 59n.

More interestingly, Jay had gone on to speculate that the suit against McClenachan had been inspired by New York's sweeping March 17, 1783, "Act for granting . . . Relief in cases of certain Trespasses" authorizing owners of New York City property to bring suit for losses suffered during the British occupation, which Jay also considered "contrary to the Laws of Nations and the Faith of the Treaty between Britain and the United States." But Congress took no official notice of the report or the implicit and apparently controversial conclusion that Congress should seek the repeat or revision of New York's law to prevent further British retaliation against American citizens in Britain.

William Churchill Houston to Samuel Dick

Dear Sir, Trenton 11 March 1785.

This Day I received a Letter from Mr. Cadwalader urging my Preparation to repair to New York, and that I would forward you a Notice to do the like.[1] Had it been expected of me to go to New York, which I am now well convinced it never was, and had I the Strongest Inclination to be there, it would be totally improper and impracticable for me to think of it Seriously, considering the Time proposed which is the first of April. The Supreme Court then comes on, where official Duty will not dispense with my Attendence, that will last near if not a fortnight, from the Appearance of Business. The next Court comes on early in May. In this Detail I pay no regard to professional Business, but to that only which is required of me as Clerk of the Supreme Court. I did once expect to

have been able to attend after May Court, but upon examining the Matter with Attention, am compelled to give up the Prospect as hopeless, reluctantly indeed, but so it must be. Perhaps the Legislature may meet in the Spring, when I can retire with Propriety from the Delegation. On your Way to New-York give me a Call, and I will convince you that I do right in not indulging any Hopes of Attending in Congress during their Stay at New-York; at least for the present Year.

You will come on as soon as practicable. Not later, by any Means, than the first Week in April. And I hope it may be convenient with respect to Business, and agreeable in Point of Inclination. But be sure to come in any Event.

I am, dear Sir, with real Respect, your very obedt. and hble Servt.

W. C. Houston

Tr (DLC: Burnett Collection). Transcribed by Edmund C. Burnett from "Original in the possession of Mr. Charles Mecum of Salem, N.J.," ca. 1933.

[1] Lambert Cadwalader's letter has not been found. Houston did not return to his seat in Congress until June 21; Dick attended May 16. See *JCC*, 28:351, 361, 372, 465, 471.

James McHenry to Daniel of St. Thomas Jenifer

New York 11 March 1785

I have lodged your letters in the English mail,[1] and have received from Willing, Hewes & Swanwick a letter valuing the Delegation on Constable & Rucker of this City, so that our draughts on the former will be paid by the latter agreeably to your arrangement. I thank you, for myself for this fresh mark of your remembrance and attention, and I make no doubt but that the other gentlemen are duly sensible of the obligation.

Mr. Henry arrived on Thursday which makes three in conformity to the recommendation of Congress. In a few days Delaware will be present and Georgia is expected hourly; so that we may soon see the Union fully represented. This circumstance and the many important matters before Congress in which the state is materially interested will keep me here till some time in next month, when I hope to be at liberty to make a visit to Philadelphia to endeavour to persuade Mrs. McHenry to accompany me to New-York.[2]

I presume you have heard of our late appointments. Adams to the court of London, and Jefferson successor to Doctor Franklin. We still continue however (so inform Mr. Stone) Mr. Adams and Jefferson joint commissioners to form our commercial treaties.

Mr. Stone will oblige me very much by giving me as early notice as possible whether the within report[3] is in conformity to his sentiments; or whether it meet with his concurrence in the grand committee. Some are of opinion that an average, say 75, would bring the U.S. less in debt.[4] I fear the report would open a door for frauds to a consider-

able amount. Mr. Stone will excuse me for not writing him by this post. It does not he may be assured proceed from any other cause than want of time.

With great esteem & regard, I am Dr Sir, Your obt.

James McHenry

RC (PHi: Gratz Collection).

[1] McHenry's letter is without address, but was undoubtedly a response to a letter of February 17 from Jenifer which opened: "I shall be very much obliged to you to forward the enclosed letters by the March Packet." See Steiner, *James McHenry*, pp. 89–90.

[2] McHenry explained his plans for visiting Philadelphia in the following terms when he wrote to his wife on March 13.

"Your silence by Fridays post has led me to think that you had calculated on my being on the way to Philadelphia, and thus it is, perhaps, that both have been disappointed. It must however, as I have mentioned to you, be at least three weeks before I can venture upon the journey. I know not why it is but ever since I have been joined by Mr Henry, I am more anxious to see you and more uneasy at being here, than if he had continued away, notwithstanding his being here puts it in my power to see you much sooner than if he had not arrived. You must my love comfort me with your philosophy, which I acknowledge is greatly superior to mine; You must convey to me what never fails to exhilirate my spirits; what alone can render the shortest absence even tolerable, those kind letters; those continued proofs of unabated affection, which tell me that I possess all that my heart can desire." McHenry Collection, MdHi.

[3] Apparently the report on a requisition on the states for 1785 under debate in grand committee, which was submitted March 31. See *JCC*, 28:15, 214–20.

[4] The quotas of all the states had been in arrears for years, and in recognition of this fact Congress had proposed for 1785 that the states be called upon only to "make up one half of their original quota," *JCC*, 26:306. The 1785 quota of $3 million proposed by the committee was calculated as "three quarters of the remaining moiety" of the previous unpaid requisitions. *JCC*, 28:217.

William Samuel Johnson to Ann Johnson

My Dearest,[1] New York Sundy Eveng. Mar. 13th. 1785

I arrived here Thursday Evening in good season,[2] tho' the Roads & the Weather were both disagreeable. I caught no material Cold this Journey, & continue in good health, hoping that I shall soon have the pleasure to hear the same of you. Our Friends here are well, except Mrs. Verplank who is however about House, & recovering. I send you by the Stage 12 lb. of Coffee, for which I gave two Dollars, the Quantity abated the price otherwise sho'd not have sent so much; I wish it may be good. Betsey will find a small Box of Black Wafers, which she desired to have, & Charles, in a separate bundle, the shoe Brushes he wanted. The Miss Van Dam's know of no proper Servant for you at present. The one that offer'd means to be an Housekeeper, rather, I fancy, above the Stile you would chuse. Others may perhaps offer soon. Mr. Buchanan has one Girl, or rather Woman (for just as the Ship sail'd she Married one of the Men who was coming out, & had paid his Passage) who he says is likely, & has two Years to serve for

£8.0.0 sterling, or £10.13.4 our Money. He thinks her Husband might be engaged to serve with her at moderate Wages. I have not seen them, nor shall engage them without your Orders. He expects another Ship with a Cargo of Servants, in a Month or six Weeks, perhaps you may then have a better choise.[3] I thus state all the Chances, that you may Judge for yourself, & leave the whole to your determination, in which I shall acquiesce. That Ship is to return to Scotland, & by her Mr. Buchanan proposes to write to his Friends about Mrs. McCoys Children. I shall do all in my Power to find them out, & with tenderest Love to all the Family remain, Yr. most affectionate Husband

Wm. Saml. Johnson

RC (CtHi: Johnson Papers).

[1] Ann Beach Johnson (d. 1796), to whom Johnson had been married since 1749. Elizabeth P. McCaughey, *From Loyalist to Founding Father: The Political Odyssey of William Samuel Johnson* (New York: Columbia University Press, 1980), pp. 32–33, 260.

[2] Johnson had returned March 10 from a wrenching trip home to bury his daughter Nancy. He had received word from Ann of her approaching death on February 28, and set out for home the same day. The following entries from his diary for February 28 and March 1 record the drama. "Set out at 5 O'Clock in the Stage with Betsey & Mr. Ellison. At 27 M[ile] Stone broke down &c. Came in Sled to East Chester. Then in a Waggon to Rye. Lodged at Havilands. . . . [March 1] Set out at 6. in the other Stage which met us here. But the Roads were so bad & the Horses so feeble that we did not arrive at Stratford till after 8. O'Clock at Night when I found my Dear Daughter had expired about an hour before." Johnson Diary, CtHi.

[3] Johnson returned to this theme in his next extant letter to Ann, encouraging her to replace a slave girl she had found troublesome. "I was very sorry to find [. . .] gives you so much trouble," he wrote on April 10, "but there is certainly no reason nor occasion whatever for you to keep her to be only troublesome to you. If therefore you are fully satisfied that you can make nothing of her, & determine to try her no farther send her to me by the first Boat that comes down. I can no doubt let her out or sell her here at worst to some of the Southn Gentn., but it may be best not to mention much at least of this Latter Method of disposing of her. I beg you will by no means let her be a vexation to you but rather send her to me immediately. Let me know by return of the Stage what price I shall set upon her, mean time I will be diligently looking out a Market for her. I cannot bear the thots of your having a Mom[en]ts uneasiness about her." Johnson Papers, CtHi.

Rufus King to Henry Knox

Sir, New York 14th March 1785.

Before this comes to hand you will have received official notice of your appointment of Secretary at war; with this notice you will undoubtedly be informed that the salary is fixed at twenty four hundred and fifty Dollars.[1] This sum is too small, but in the existing situation of affairs it was not practicable to obtain a larger sum. The Office is certainly a very honorable one; and the U.S. will not suffer the head of so very respectable a department to remain unsupported. The ordinance for erecting federal buildings on the Delaware, makes provision for

the secretary at War—the salary of that Officer has been determined on, since the passing of the Ordinance relative to federal buildings; a future congress would probably be of opinion that House Rent should be allowed to the Secretary at War exclusive of his salary, until the federal buildings are completed.

Add to this, if the contingent expences of the Office, including the expence of travelling to and from the various Posts and Magazines are allowed to the secretary, the salary would be more adequate to his support.

In fact; when congress shall be convinced by a particular statement of expenditure that the salary is insufficient, they certainly will not refuse to increase it: the present Sum therefore I hope will not be an objection.

If the wishes of your particular friends, and the entire Satisfaction of the states would be an inducement to your acceptance, you cannot refuse. I could not excuse myself, did I not make these observations to you; the present wasting condition of the Department requires the hand of a master; if you decline, I fear we shall be driven into an election, that will neither aid the Dignity, nor preserve the interest, of the Union.

I wish you to understand me to communicate the sentiments of an individual friend, and which carry with them no manner of public Obligation. I write as one Citizen anxious for the public wellfare, to another capable of promoting it. Please to present me with respect to Mrs. Knox, and believe me to be with perfect consideration your Obt. Servt. Rufus King

RC (MHi: Knox Papers).

[1] See Elbridge Gerry to Samuel Hodgdon, February 7, note 2; and Charles Thomson to Knox, March 9, 1785.

Richard Henry Lee to Samuel Adams

My dear Sir, New York March 14. 1785

Your favors (for I am always favored when you are pleased to write to me) by Mr Walker of the 9th, and by Captain Landais of the 10th of December were duly delivered to me by those gentlemen, and without loss of time I laid them before Congress. Their applications have been referred to very good Committees,[1] so that there is reason to expect that these Gentlemen will receive just and satisfactory determinations from Congress. Your very friendly and sensible letter of the 23d of the same month[2] deserves my sincerest thanks and approbation, which with great cordiality I present to you. My ill health (with much business and the necessary attention to the ceremonies of my office) prevents me from being so punctual a correspondent as I wish to be—but I well know that your goodness will excuse me. It is the part of a friend to advise, and of a well disposed mind to profit from good counsel. I

shall certainly endeavor to benefit from your judicious sentiments. Very much it is to be wished that all who are in authority, discerned with you that the eyes of the world are upon us, that great expectations are formed from great beginnings, and that wisdom and virtue can alone satisfy such just expectations. It is however much too correspondent with human nature to exult "beyond measure," and thereby to neglect those duties that better sentiments ought to inspire. To this cause may perhaps be attributed much of the inattention and violence that have too generally taken place since the preliminary articles were made known to us. Whether in public or in private life, it seems most becoming wise men in the time of victory and success, to practice the virtues of Magnanimity and Justice, to avoid the display of irascible passions, by effectually "burying the hatchet" as our Aborigines express the idea. Without this philosophic temper, what would become of mankind governed as they too generally are by Tyrants whose caprice forceth Nations into War? Endless carnage and evil without bounds must be the result. The philanthropy that I revere and admire in your character must revolt at the contemplation of it. And I think that the Christian philosophy, in tenderness for human infirmities strongly inculcates principles of mutual forgiveness and benevolence. These reflections have been created in my mind by that kind of exultation "beyond measure" which you so wisely deprecate, and which I have seen so much to prevail as to injure in my idea that greatness of character, which had dignified America in her resistance to British Tyranny. For I am not disposed to admit Revenge as a just plea for such Extravagancies, altho' a well judged system of measured politics may be admissible. The selfishness and corruption of Europe I have no doubt about, and therefore wish most sincerely that our free Republics may not suffer themselves to be changed & wrongly wrought upon by the corrupt maxims of policy that pervade European Councils—where artful and refined plausibility is forever called in to aid the most pernicious designs. It would seem as if there were a general jealousy beyond the water, of the powerful effects to be derived from Republican virtue here, and so we hear a constant cry from thence, echoed & re-echoed here by all Expectants from the Treasury of the United States—That Congress must have more power—That we cannot be secure & happy until Congress command implicitly both purse & sword. So that our confederation must be perpetually changing to answer sinister views in the greater part, until every fence is thrown down that was designed to protect & cover the rights of Mankind. It is a melancholy consideration that many wise & good men have, somehow or other, fallen in with these ruinous opinions. I think Sir that the first maxim of a man who loves liberty should be, never to grant to Rulers an atom of power that is not most clearly & indispensably necessary for the safety and well being of Society. To say that these Rulers

are revocable, and holding their places during pleasure may not be supposed to design evil for self-aggrandizement, is affirming what I cannot easily admit. Look to history and see how often the liberties of mankind have been oppressed & ruined by the same delusive hopes & fallacious reasoning. The fact is, that power poisons the mind of its possessor and aids him to remove the shackles that restrain itself. To be sure, all things human must partake of human infirmity, and therefore the Confederation should not be presumptuously called an infallible system for all times and all situations—but tho' this is true, yet as it is a great and fundamental system of Union & Security, no change should be admitted until proved to be necessary by the fairest, fullest & most mature experience. Upon these principles I have ever been opposed to the 5 Per Cent impost. My idea is still that of the Confederation, Fix the sum, apportion it, & let every State by its own means, and in its own way faithfully & honestly make its payment. That the now fœderal mode of apportionment is productive of delay, of great expence, and still liable to frequent change, is certain. And therefore I see no inconvenience in so far altering the Confederation as to make the Rule of Apportionment lie upon the numbers as stated in the recommendation of Congress upon that subject. But I can never agree that this Body shall dictate the mode of Taxation, or that the collection shall in any manner be subject to Congressional controul. It is said that this will more effectually secure the Revenue—But how so? if a spirit prevails to neglect a duty imposed by the Confederation, may not the same spirit render abortive at any time Acts passed for granting the Impost? Besides that we are depending for the payment of our debts upon uncertainty, when the most certain revenues of the State ought to be appropriated to that purpose. Whilst every good man wishes great punctuality to prevail in the payment of debts, he must at the same time condemn and discourage large importations which impoverish by encreasing the balance of trade against us. So that from this system we are to expect our greatest good from our greatest evil. A good physician will tell you that contrary indications of cure threaten danger to human life, and by a just parity of reason, contrary indications threaten danger to the Political body. But happily for us, our political disease admits of simple remedies for its cure, if rightly judged of, and wisely practised upon. Let it therefore be the effort of every Patriot to encourage a punctual payment of each State's quota of the fœderal demand, and let the money be found in ways most agreable to the circumstances of every State. This is the plan of the Confederation, and this I own will be mine, until more satisfactory experience has proved its inefficacy.

A word more upon the point of our just wishes to be detached from European politics, and European vices of course. I wish it most sincerely. But unfortunately Great Britain is upon our Northern quarter

and Spain upon the Southern. We are therefore compelled to mix with their Councils in order to be guarded against their ill designs. I am very happy to hear from my friend Mr Lovell that you are in health and spirits, & that you still delight to speak of politics. There is nothing in this life that would give me more happiness than to see & converse with you in Boston—but Alas! I fear that my poor state of health will deny me this pleasure—yet at all times and in every place, I shall be dear Sir, your most affecte friend,

Richard Henry Lee.

RC (NN: Samuel Adams Papers). In the hand of Thomas Lee Shippen and signed by Richard Henry Lee.

[1] Adams' "favors" of December 9 and 10 have not been found, but the January 22 memorial of Thomas Walker, a Boston merchant formerly of Montreal, requesting compensation for the burning of his store and goods and his imprisonment at the hands of the British military as a consequence of his American sympathies, was referred to Rufus King, David Howell, and James Monroe who recommended on April 11 that he be paid $1,500 and that his memorial be referred for further consideration to the committee on Canadian applications, which Congress approved on the 15th. See *JCC*, 28:117n, 245, 270; and PCC, item 41, 10:665–68, item 185, 3:110, item 186, fol. 179. A February 10 memorial from Pierre Landais, late captain of the frigate *Alliance*, embraced a series of requests for past expenses and subsistence, back pay, a gratuity for transporting goods to North America, and claims relating to prizes carried into France, Holland, and Norway. It was referred on February 10 to a committee consisting of King, John Beatty, and Samuel Hardy which was renewed on April 12 with Howell replacing Hardy. In their April 18 report, which was issued as a broadside for the use of Congress, the committee recommended that Landais receive a total of $6,312 5/10 for his gratuity and "the balance of his account for pay, subsistence and extra expences while in public service," which Congress approved June 2. Action on his prize claims was deferred. See *JCC*, 28:55n, 257n, 276–77, 417–18, 29:921; and PCC, item 41, 5:361–76, item 185, 3:111, item 190, fols. 9, 30.

[2] Adams' letter of December 23, 1784, is in Adams, *Writings* (Cushing), 4:308–12.

North Carolina Delegates to Alexander Martin

Sir, New York 18th March 1785

Since our last to your Excellency of the 1st Instant, Congress have passed resolutions for holding Treaties of peace with the Indians in the Southern Department. Three Commissioners are to be appointed for this purpose, and monies voted for paying the incidental expences. Each of the Executives of the Southern States are to be officially informed on this subject, and may, if they think proper send an agent to be present at the Treaties.[1]

We enclose your Excellency a Resolve of Congress, limiting the time in which unliquidated accounts against the United States, are to be given in to the Commissioners, appointed to adjust and settle the Accounts of Individuls against the United States, and precluding those

who fail to comply with that resolution from any future settlement. We thought it our duty to oppose it, as we conceive the time allowed is too short for the Citizens of North Carolina living in the western parts of the State, who are Creditors of the United States.[2] There being no Commissioners in the State will, however, extend the time a Month or two Longer.

Mr. Jefferson is appointed to succeed Doctor Franklin at the Court of Versailles, who has leave to retire agreeable to his repeated requests. Mr. John Brown of Providence is elected a Commissioner for carrying into effect the Ordinance of the 23d December last, in the place of Genl. Schuyler who has declined accepting that appointment.

Nothing more of Consequence has occured that we are at liberty to Communicate.

We have the honor to be, Your Excellency's most obedient and most humble Serts. Richd. Dobbs Spaight.

Jno Sitgreaves

RC (NjMoHP: Lloyd W. Smith Collection). Written by Spaight and signed by Spaight and Sitgreaves.

[1] See South Carolina Delegates to Benjamin Guerard, January 25, note 8; and Charles Thomson to Certain States, March 24.

[2] See *JCC*, 28:167–68; and the following entry.

Charles Thomson to the States

Sir, (Circular) Secretary's Office March 18th. 1785

Congress being impressed with the necessity of limiting a time for all persons having unliquidated claims against the United States to bring in such Claims as well for the purpose of ascertaining with the utmost expedition the amount of the national debt, as to prevent or detect the attempts that are making to defraud the public, have passed the resolution which I have the honor to enclose.[1]

As it is of importance to the Inhabitants of your State, who have just claims against the United States to be informed of this as speedily as possible I trust your Excellency will excuse the liberty I take in addressing this resolution to you and requesting that you will be pleased to give the necessary Orders for making it known to all concerned, by causing it to be printed and dispersed through the different Counties and districts of your State or in such other way as you shall judge best.

With great respect & Esteem, I have the honor to be &c.

C.T.

LB (DNA: PCC, item 18A).

[1] The enclosed resolution had its origin in a February 23 motion by Elbridge Gerry for expediting the settlement of unliquidated claims and a motion of the same date by David

Howell for regulating commissioners of accounts. Both had been referred to a committee consisting of Gerry, Samuel Hardy, and Hugh Williamson, whose February 28 report was debated and adopted on March 17. See *JCC*, 28:93–94, 107–8, 166–69, 29:918.

For the unsuccessful effort of the North Carolina delegates to extend the limit for submitting such claims from 12 months to 23, see ibid., pp. 167–68; and the preceding entry.

Joseph Gardner to George Bryan

Dear sir New York March 19th. 1785

I have received so many of yours without answering them that hardly remember where to begin. The death of my friend was an expected event for some time. I am Very glad that so great respect was paid by his friends to his remains. Mr Searle who attended the funeral informs me that he never saw in Philadelphia so large a concourse of people upon the like occassion.[1]

The fate of the funding bill I am likewise informed of. I am pleased that it passed as it did but wou'd much rather it had passed without any discrimination. I have my fears concerning the fate of the paper Money. Shou'd the bank give it a Credit that will promote its efficiency and perhaps their fears for their charter may have its weight with them.

I have seen a petition to the Assembly published in the Philada. papers and republished here against the Bank—what number of signers had it? has it been presented? will the Assembly take any steps upon ———? The bank in this City is not Very secure—there is a general suspicion that banks are all conducted too much upon principles of favoritism, after repeated applications they have been refused a charter. A few days ago an act for the abolition of Slavery took place here nearly upon the principles of the Pennsylvania one. The Country party in the New York Assembly are a Majority and generally carry their measures in opposition to their *Senate* and their *Council of revission* as they are called.

Rhode Island has passed the 5 per Ct. in a limited manner to be collected in their own way and by officers of their own appointment. They have appropriated eight thousand dollars out of it to pay their proportion of the intrest of the foreign debt and for this purpose have directed it to be paid to the order of Congress, the residue is to be applyed in paying the intrest of the domestic debt to such of their Citizens as are public Creditors and the redemption of their State notes.[2] This is not Satisfactory to many of our Gentlemen but less is said about it than would be owing to difficulties a similar bill finds in its passage thro' the legislature of this state. Numbers have petitioned the Assembly in favr. of it (principally Citizens) notwithstanding Many

of the leaders in the house are determined to give it every opposition in their power.

Our Grand Committee of ways and Means have not yet reported but it is probable that a requisition will be made of three Millions dollars or thereabout nearly upon the Same principle as last year's for exigencies of the Current year[3]—facilities as they are called or in other words notes for intrest will be received in payment of two thirds certainly, and more if the intrest of the publick debts due in the State mounts higher.

The late Indian treaty has put the U.S. in possession, according to several calculations which I have Seen and Made, of near twenty five Millions acres of land in the Western Country. Congress wish soon to avail themselves of this fund to extinguish as much as possible of the domestic national debt. The arrangements for disposing of this property has been some days ago committed to a grand Committee of one from every state.[4] We have met frequently upon this business but have concluded nothing. Many important questions arise upon this Subject. How large are the States to be? how bounded, whether by natural Marks or parallels of latitude? Is it to be granted regularly one Joining upon another where lands not arable don't intervene? or are the purchasers to be suffered to roam at large (as in Pennsylvania) and to take up as much and where they please? If the tracts are fixed how large ought the largest and how small the smallest to be? How much shou'd the price per hd. acres be? Or shou'd there be different prices according to the Value of the lands? Shoud there be any reservations of hundreds or Manners for the use of schools or other publick uses? Salt Springs and licks and what has usually been called royal Mines how ought they to be disposed of?

The land Speculators already Smell a rat and expect fine picking. Many of them are here and waiting with anxiety the event. There will be a scram[ble to] the land offices in this new Country, Many hav[e al]ready applied. Another treaty will be held this Summer in June perhaps at Post St Vincent both for Peace and purchase. If this shou'd succeed as is expected thirty or forty Millions more will be added. We are informed all the Indians in that country are disposed to sell and many of them mean moving over the Missisipi. The question upon Mr L—— has not been mentioned for some time. We recd your pamphlet.[5] We have kept it agoing with those who understand french. Nothing is said of the Wyoming affair, do the Assembly mean to take it under consideration? We wish to know in order that we may govern ourselves accordingly.

The representation is generally compleat Georgia alone unrepresented only one attending. I am &c. Jos. Gardner

RC (PHi: Bryan Papers).

[1] Joseph Reed, former president of Pennsylvania and delegate to Congress, died March 5, 1785, at the age of 43 and was buried March 9.

[2] For the context of Rhode Island's adoption of the Continental impost, and the conditions attached to the state's acceptance after two earlier rejections of the proposal, see Irwin H. Polishook, *Rhode Island and the Union, 1774–1795* (Evanston, Ill.: Northwestern University Press, 1969), pp. 110–11.

[3] For the report of the grand committee on the requisition for 1785, which was submitted on March 31, see *JCC*, 28:214–20.

[4] For the reading of "An Ordinance for ascertaining the Mode of locating and disposing of Lands in the Western territory," its referral to grand committee on March 16, and the revised ordinance reported on April 12, see *JCC*, 28:114, 165, 251–56.

[5] For the "question upon Mr L[ongchamps]," and the related French pamphlet, see William Henry to Bryan, February 26, notes 2 and 3.

Samuel Holten to John Folkersamb

Sir. New York 19th March, 1785.

I have the pleasure of enclosing a copy of a letter lately received from Capt. Paul Jones, by which you will perceive the state of the business, at the time the letter was dated, respecting the prizes, carried in to Europe by the Bon-homme Richard, & Alliance.[1] I conclude you served on board one of these Vessels, & it gives me pleasure, that you & others in like circumstances are likely to get your pay, 'tho' it may be some time first.

I am, with real respect, your most obedient

⟨*P.S.*⟩ You will please to excuse my address, as I can't at this time recollect your name.

FC (MSaE: Holten Papers). Addressed: "The german Doctor, in Danvers."

[1] Holten undoubtedly enclosed a copy of John Paul Jones' December 17, 1784, letter to Robert Morris, agent of marine, on the status of the prize money he was attempting to collect in France that was due the crews of the *Bonhomme Richard* and *Alliance* formerly under his command. The letter had been received by Congress on March 14 under cover of a brief note from the secretary at the Marine Office, James Read, for which see *JCC*, 28:159n; and PCC, item 168, 1:484–87. For the origin of Holten's interest in Folkersamb's case, see these *Letters*, 19:709–10.

Rufus King to Elbridge Gerry

My Dear Sir, New-York Sunday 20th. March [1785]

Although we regret your absence, yet the reflection that you are with your friends, and that you must have had a very expeditious passage, has afforded all of us pleasure. Our family, which is increased by Mr. J. Henry from Maryland, very frequently mention you in the kind-

est manner; and if the idea of leaving behind us good and favorable impressions is a pleasure, you have undoubted right to enjoy it.

Congressional Affairs are nea[r]ly as you left them. Mr. Jefferson was unanimously elected for Versailles, and Tomorrow most probably *Mr. Rutledge* will be appointed to the Hague. Your motion for limiting the period within which the public Creditors should be allowed to exhibit their Claims, has passed into a resolve and will be transmitted to the respective executives.[1]

Story returned on Friday.[2] Mr. Wythe accepts. Grayson has been here some Days, and as Monroe and he are informed of the period within which an answer is expected, they will probably give their answers tomorrow which is the last day. No other answers from any of the commissioners except Mr. Harrison & Mr. Johnson, have been received.[3] You understand the Situation of this business, and its importance. The Agents must attend to it. Willson is here for this with other business. I have not the original second Agreement, & without it nothing farther can be done.

Two letters from Osgood to you came to hand the day you left us. I knew the character, and supposing, as in fact was the case, that they might be on the subject of his appointment, I opened them, found his objections to the extent of the bonds and procured an explanatory Resolve, that places the business in the train, that corresponds with my own opinion.[4] I inclosed the Resolve to Mr. Osgood last Post,[5] & hope it will be satisfactory. The situation of the Treasury requires his immediate attendance here, provided he accepts.

I inclose you his two letters with others received since your departure, and am with perfect sincerity your friend R King

This is evening. Nelly has inquired Ten Times in the course of the day whether I had any Letters from you—but although this is post day yet the Post is not in—and indeed I hardly expect to hear from you till next post day. The General Court I suppose has risen before this day; I hope they have done what was necessary relative to the Letter of the Delegates, and also touching the object [of] a western Cession. New York have added our little friend Mrs. Laurence husband and two other Gentlemen who I am told are in the Stile of Judge Platt to their Delegation in Congress, Delaware will be on the floor Tomorrow, and Georgia it is said will very soon be represented, that will give us a complete representation. For God's sake return soon.

RC (NHi: King Collection).

[1] See Charles Thomson to the States, March 18.

[2] That is John Story, whom the Massachusetts delegates had dispatched to Virginia and Maryland to deliver notices to William Grayson, James Monroe, George Wythe, Robert Hanson Harrison, and Thomas Johnson of their appointment as judges for the trial of the Massachusetts–New York western lands dispute, for which see New York Agents' Journal, December 4–9, 1784, note 7.

[3] For the responses of the nine judges who had been named to hear the trial of the Massachusetts claim to lands in New York, see Massachusetts and New York Agents to James Monroe, December 28, 1784, note 3.

[4] Congress had named three commissioners to the new board of treasury on January 25 and on February 3 resolved that they be required to give bond "with two or more sureties . . . in the sum of one hundred thousand dollars." To this Samuel Osgood objected, and King accordingly moved the repeal of the resolution. The motion was referred on March 14 to a committee consisting of King, Samuel Hardy, and Charles Pinckney whose report the following day succeeded in obtaining sufficient modification of the bonding requirement to secure Osgood's acceptance of his appointment as treasury commissioner on April 7. See *JCC*, 28:6n, 18, 25n, 38, 158–59; and PCC, item 78, 17:365–72, item 190, fol. 21. Osgood explained his objections to Congress' February 3 bonding resolve in letters of February 28 and March 2 to Elbridge Gerry, which are in the Osgood Collection, DLC.

[5] Not found.

James Monroe to Richard Henry Lee

Sir. New York 20th March 1785.

By a letter from the honorable the Agents on the part of Massachusets and Newyork my appointment as a judge to sit on the fœderal Court for deciding the Controversy between those states has been announced to me.[1] I should have answered it sooner, but being on the spot where the Communication might at any Moment be made, did not conceive it essential. I now do myself the honor to inform your Excellency that I shall accept the appointment & attend at whatever place the Court may be held.

I have the honor to be with great respect & esteem Your Excellencys Mo Obedt & humble servant. Jas. Monroe

RC (DNA: PCC, item 78).

[1] See Massachusetts and New York Agents to Monroe, December 28, 1784.

William Grayson to Richard Henry Lee

Sir. New York March 21st. 1785.

My appointment as a Judge to sit on the fœderal Court for deciding the territorial controversy between the States of Massachusets and New York, has been communicated to me by a letter from the Hon'ble the Agents of those States;[1] and though I feel myself strongly impress'd with this flattering testimonial of their confidence, yet entertaining some doubts as to the propriety of accepting an appointment which might eventually interfere with the duties of that which I have

the honor to hold under the State of Virginia must beg leave on that account to decline acting.

I have the honor to be, with every sentimt. of respect, Yr. Excys. Most Obedt. & Most Devoted H'ble servt. Willm. Grayson

RC (DNA: PCC, item 78).

[1] See Massachusetts and New York Agents to James Monroe, December 28, 1784.

Samuel Holten to Moses Gill

Dear Sir. New York 21st March, 1785.

I have rec'd the letter you did me the honor to write the 7th instant. You are pleased to ask "whether Congress has done, or intends to do, any thing towards disallowing Interest on debts due to real British subjects": *⟨the application made to Congress by our Government is still under consideration of a committee,[1] & I consider it of such a nature as it is not likely that Congress will soon come into any resolutions upon the subject; the treaty of peace & the Laws of the States I conclude must determine this matter at present; I sensibly feel for such persons as you mention when nations are obliged to consent to treaties that opporates against the interest of individuals, but treaties ought to be strictly adhered to between sovereign powers, and 'tho' no state in the union can have a right to make a law repugnant to the treaty, yet if such a thing was to take place, the consequences would by no means follow as would be likely to take place if Congress were not attentive to the treaty.⟩*

It will always give me pleasure to comply with your wishes, but I feel myself embarrassed in writg upon this subject, as Congress do not permit of information being given of what passes between them & sovereign powers, farther than what they thing [think] proper to be published, however, I can mention to you, I think with propriety, that this matter was noticed by Congress to our Minis[te]rs soon after the Provisional Articles came to hand, but the Definitive treaty is the same in substance; as to what Congress "intends to do," I am not able to say, the application from our state is still under consideration of a grand committee, & I consider it a delicate piece of business for one party to undertake to construe a treaty in their own favor, & 'tho' I sensibly feel for such persons as you mention yet, the treaty of peace & laws of the state must be the rule to determine between them & their creditors; and if the Laws of any state should be more in favor of their citizens than the treaty, the consequences to us as a nation may not be the same, as if Congress had given their opinion upon the matter but don't mistake me, or suppose that I think any state has a right to enact a law repugnant to the treaty; but you may suppose that Congress may in-

struct their minister to negotiate upon the subject, granted, yet I believe the prospect is *very* small that we shall obtain any thing in our favor.

I remain, with perfect consideration & respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] The Massachusetts Assembly had resolved on November 10, 1784, to suspend interest that would have accrued on prewar debts due to loyalists who had fled the state prior to October 5, 1784, and had instructed its congressional delegates to ascertain whether this action contravened the treaty of peace with Britain, particularly the provision of Article 4 concerning "bona fide debts." This issue had been submitted to Congress on December 2 and referred to a committee consisting of Charles Pinckney, Gunning Bedford, William Gibbons, Samuel Hardy, and James Monroe, which was renewed on January 17. See *JCC*, 28:6n.; and PCC, item 65, 2:343–51, item 186, fols. 168, 176. The matter was subsequently referred to the secretary for foreign affairs, John Jay, whose March 7, 1785, instructions to John Adams included a query on the subject. Jay's October 13, 1786, voluminous report to Congress on Adams' efforts to obtain clarification of this and other problems growing out of the peace treaty is in *JCC*, 31:781–874, especially pp. 781–85, 806–9.

Charles Thomson to Hannah Thomson

Dear Hannah, N 24 Tuesday March 22. 1785

Upon going to the Office on Monday morning I received yours of the 19 N 12 and at the same time dispached mine of the 20 N 23.[1] I find we pass our time much in the same manner. You in your parlour at Philadelphia, I in my room, dark and gloomy enough, for it has not even the advantage of looking into the street, at New York; often thinking of and writing to each other at the same time. The people of this place have in general been attacked with a cold; it has been so general that it is considered as epidemical, very few having escaped it. I have had a slight visit, it occasioned a hoarseness; but as I combated it with wine, whey bathing the feet and the flesh brush, I found I succeeded in preventing its gaining possession of my *breast*-works or *capital*. You know it is of great importance to be able to resolve the question, How have you got such a cold? I had the satisfaction of being able to tell. On Saturday the 12 I attended a conference between the senate and assembly of this place in a cold church which had not been opened for some time. And to appoligize for my imprudence I had only to say that our old acquaintance Paine was one of the persons appointed to conduct the conference. The subject was a bill for the gradual abolition of slavery.[2] The assembly were willing to admit the freedom of the Negroes; but they wanted to exclude them from the right of voting or being elected to any place of post in government And to prevent their entermarrying with Whites under a penalty of a hundred pounds. To these disabilities and penalties the Senate were opposed. To the first because they thought it contrary to their Consti-

tution and to the latter because in so important a connection they thought the free subjects of the state ought to be left to their free choice. Mr Paine was on the side of the Council, being one of that body and he conducted his part of the conference just in his own way, with some degree of wit, a great deal of sarcasm with scraps of Scripture & strokes of wit & humour some of them it is true low but all delivered with so many contorsions of the face and original attitudes and gestures, as to divert the audience & render his opponents ridiculous. It was really a high entertainment and sufficient to make one even risque a cold to hear it. However as I had heard him so often before I did not stay till the conclusion. Next day my hoarseness came on, and I have not since ventured abroad except just to Congress and home again. I am now got pretty well.

The arts of Mrs. M & her daughter are very amusing. They discover too much and not enough. They seem like the girl in the pastoral who meeting with her lover affected to run away from him but with the fond hope of his pursuing and overtaking her or as the poet expresses it

The wanton laughed and seemed in haste to flie
But often stopped and often turned her Eye.

Plain dealing after all is best. The honest friend came sooner to his point and obtained his end who addressed his fair with "Off or on Martha."

I was much amused with the adventures of the blind philosopher and the poet. The doctor I presume did not know that the Poets study is the Street or did not recollect that bards mounted on Pegasus fly too high to observe such groveling objects as gutters, lamp posts or bundles of skins.

You have twice asked me what sort of Quakers we have here. I really cannot tell as none of them have called on me and I have visited none but such as have. I last evening asked Mrs Depeyster who knows every body. She informs me they are a very good sort of people, kind, civil, obliging and friendly and more liberal in their sentiments than your Pleasants & Fishers. She told me of one of the principal men whose daughter lately married one Capt Willet. The friends went to deal with him for giving his consent, and he told them freely that he left his children to the exercise of their own judgment & prudence and that in a matter of such consequence on which their peace and happiness so much depends they ought not to be too much restrained. She could not tell me whether the girl was read out or disowned.

I have not heard of any complaints among the Members except what arises from the dearness of living. Delaware is come on, so that we have now 12 states represented.

My love to Jon, Rob, Am[elia] & Charles & compliments to all friends. With sincere affection I am, Dear Hannah, Your loving husband, Cha Thomson[3]

RC (DLC: Thomson Papers).

[1] Not found.

[2] The paucity of commentary on the subject of antislavery in the surviving congressional correspondence is striking. Not only is Thomson's the sole reference to this New York debate, but no comment at all has been found on the subject of a January 26, 1785, Quaker petition against slavery, which was apparently read in Congress sometime in February but simply ignored. It is endorsed: "Address sign'd by Appo[intmen]t of a meeting of the Representation of the people called Quakers & dated at Philadelphia 26 January 1785. Read." PCC, item 43, fols. 347–50. The petitioners made a modest appeal to the conscience of the delegates "to exert their Influence and Endeavours to discourage and Prohibit" the slave trade, calling attention to their previous unanswered petition to Congress of October 8, 1783, and enclosing for "each Delegate in Congress" a copy of the pamphlet *The Case of our Fellow-Creatures, the Oppressed Africans* by the late Anthony Benezet (London; Philadelphia: Reprinted by J. Crukshank, 1784). Evans, *Am. Bibliography*, no. 18,353. For the earlier petition to Congress, see Abiel Foster to Meshech Weare, January 8, 1784, note 3.

[3] Thomson also wrote a note this day requesting the Philadelphia bookbinder Benjamin January to deliver to the Rev. George Duffield "two volumes of the journals of Congress, one commencing the first Monday in November 1782 the other commencing the frst Monday in Novr. 1783." PCC, item 78, 13:375.

Rufus King to Elbridge Gerry

Dear Gerry New York March 24th. 1785

I this moment received your's written the morning after your arrival at Boston.[1] I am pleased with the acceptance of Genl. Knox and hope that the measures adopted by Congress after you left us will induce Mr. Osgood to come forward without delay. I have once and again written to the Agents of Mass. on the subject of the controversy between us & N.Y.[2] but as the Gentlemen make me no reply, I shall decline farther communication. Wythe, Johnson, & Monroe accepted within the two months, Grayson & Harrison declined—no answer from any of the other gentlemen. New York are moving for an Alteration of the place of trial—I will oppose my feeble strength to them, but I shall regret your absence. Delaware is represented so that there are now Twelve States on the floor, and a full representation is daily expected by an additional Delegate from Georgia. We have by the last Post a very rugged instruction from our Legislature. We will manage it as well as is in our power, consulting the gentle Demeanour of my colleague the Doctor, who I hope will now come up to what you and I believe our Duty on the subject of the federal buildings.[3] I thank you for the Politics you give me; the Rh. Island Act for an impost had reached us before your Letter.[4] New York have been you know upon the Subject of Imposts, and yesterday the question upon a Bill, copied from the Mass. Act, was lost in the Senate, there being only Eight in favor, and Ten Against, the measure.[5] The business of Congress proceeds with great facility by so full a representation—Congress have agreed

on a treaty to be held at Post Vincent in June with the Indians North West of the Ohio, and also to a Treaty South of the Ohio. This Treaty was opposed by the circumscribed states because it might cover the states of Georgia, So. & No. Carolina in purchases of Indian Rights of Soil within the boundaries of those States. It was well answered that the U.S. are bound to procure Peace to all the Citizens of the Union, and that the Citizens of the Southern States had a right to require the U.S. to establish peace with the enemy within their Country. The object of the Treaty is confined to peace only; and the Commissioners restricted upon the subject of a boundary of Property between the Indians and the several States. The Commissioners for this Treaty are Mr. Perry of Delaware, Mr. Carrol of Maryland, Mr. Hawkins of N. Carolina, Mr Martin of Virginia & Mr. Pickins of So. Carolina.

Our family are all happy, and remember you with a cordial affection. We all hope you will soon despatch your private buisness, and return to us. Believe me to be with sincere esteem, Your's,

R. King

RC (NHi: King Papers).

[1] For this March 14 letter, see King, *Correspondence* (King), 1:73–74.

[2] For the only such letter that has been found, see King to John Lowell and James Sullivan, February 23, 1785.

[3] The Massachusetts General Court had incorporated lengthy instructions to its congressional delegates in a resolve of March 8, 1785. The third of these called for the completion of the public buildings authorized by Congress' December 23 resolution providing for a new federal residence at the falls of the Delaware—"as it can never be for the interest of these States, to have the permanent residence of Congress in any great city." For "Doctor" Holten's opposition to an appropriation for this purpose, see Samuel Holten to Samuel Adams, April 11, note 2.

These "rugged" instructions also directed the delegates to prevent Congress from appointing its members to public offices, and to require the annual election of the secretary of Congress; to secure the free navigation of the Mississippi River, the eastern boundary of Massachusetts, economy in Continental salaries, the redemption of "old continental money," and reimbursement for expenses incurred by Massachusetts in the Penobscot expedition and for enlistment bounties; and to oppose ratification of the proposed consular convention with France, and the appointment of ministers to foreign countries except "on special occasion." *Resolves of the General Court of the Commonwealth of Massachusetts,* January 19–March 18, 1785, pp. 131–33. Evans, *Am. Bibliography,* no. 19,089.

[4] For Rhode Island's adoption of the Continental impost amendment with limitations, see Bartlett, *Records of R.I.,* 10:87–88. For the impact of the economic crisis on the state and the assembly's reversal of its confrontational policy with the Continental government, which had been led by David Howell and reached a high-water mark with its unanimous rejection of the impost in November 1782, see Irwin H. Polishook, *Rhode Island and the Union, 1774–1795* (Evanston, Ill.: Northwestern University Press, 1969), pp. 107–11.

Gerry's letter to King had included the following explanation: "Rh. Island have passed an import Bill, which I think a most extraordinary one indeed. I read it cursorily, and as well as I recollect it provides certain Duties, to be raised by officers of their own appointt.; applies 8000 Dollars of this Revenue to the order of Congress for the Interest of the Foreign Debt; the surplus is appropriated by the State to pay the Interest of Loan

Office Certificates (& the Commissioner who is liquidating the public accts. in that State) in the possession of their own Citizens, excluding the Army Debt & Commutation entirely, and making provision that the other States shall not exercise certain powers respecting the laying Duties on Goods of the Citizens of other States. They say in Newport this is H——lls plan to pay the Interest of J——n B——ne Certificates."

[5] This vote was apparently taken in committee of the whole, where the impost bill had been under consideration March 17, 18, 21, 22, and 23. There is no record of a vote on the measure in the full Senate and no other mention of the bill's consideration during this session, for which see *Journal of the Senate of the State of New-York*, "second meeting of the eighth session," pp. 50–54, 56–57, DLC(ESR). For the struggle in New York over the proposed Continental impost, see Spaulding, *New York in the Critical Period*, pp. 171–76.

Charles Thomson to Certain States

Sir, Secretary's Office March 24th, 1785.

I have the honor to enclose an Act of the United States in Congress assembled passed the 15th Instant for Negotiating a treaty of peace with the Southern Indians, and of the appointment of Commissioners for that purpose.[1]

As it nearly concerns the peace of the Union and the safety of the frontier settlements that this business be entered on without delay, and as [2] of your State is one of the Commissioners, I take the liberty to enclose a letter to him containing his Commission and instructions, and beg leave to request, that your Excellency will be pleased to forward it to him by the speediest and safest conveyance.

With great respect, I have the honor to be, Your Excellency's Most obedient and most humble Servt, C.T.[3]

LB (DNA: PCC, item 18A). Addressed: "directed to His Excellency the President of Delaware & the Governors of Maryland, Virginia, North Carolina & South Carolina."

[1] See *JCC*, 28:159–62, 183–84.

[2] That is, William Peery of Delaware, Daniel Carroll of Maryland, Joseph Martin of Virginia, Benjamin Hawkins of North Carolina, or Andrew Pickens of South Carolina, for which see the following entry. For the selection of these commissioners, especially the decision to add "two additional Commissioners" from Virginia and South Carolina after the first three had been selected, see also South Carolina Delegates to Benjamin Guerard, January 25, note 8; and Richard Dobbs Spaight to William Blount, March 27.

[3] Thomson also wrote a similar letter this date to the Governor of Georgia, Samuel Elbert, which contained the following second paragraph because that state was not represented among the five commissioners selected. "As the happy accomplishment of this business nearly concerns the peace of the Union and the safety of the frontier settlements, Congress rely with confidence on your zeal for the public welfare, and on the exertions of your State as far as may be necessary for the attainment of so desirable an object and for bringing it to a speedy and happy issue." PCC, item 18A, fol. 70.

Charles Thomson to the Indian Commissioners

Sir Secretary's Office March 24th. 1785.

I have the honor to enclose you an Act of the United States in Congress assembled passed the 15th Instant for Negotiating a treaty of peace with the Southern Indians, and a Commission empowering you with four other gentlemen therein named to transact this business.[1]

As it is of importance to the peace of the Union and the safety of the frontier settlements, that the treaty be commenced as speedily as possible, I have it in command to inform you that it is the pleasure of Congress that the Commissioners appointed to Negotiate with the Southern Indians meet at Charleston, South Carolina on the 16th day of May and there fix on the time and place for holding a treaty or treaties with the said Indians, take the proper steps for giving due Notice thereof to the several Nations and tribes concerned, and make the Necessary preparations for executing the further duties of the Commission, with all possible and convenient dispatch.

With great Respect I have the honor to be Sir, Your most Obedient and Most humble Servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "To Benjamin Hawkins, Daniel Carroll, William Perry [Peery], Andrew Pickens & Joseph Martin Esquires."

[1] See the preceding entry, notes 1 and 2.

Charles Thomson to John Dickinson

Dear Sir, March 24. 1785

I received by Mr Penticost your letter of the 19 February. The subject of establishing a new state to the westward is now under the consideration of Congress, but not yet brought to a conclusion.[1] As Mr Penticost has had an Opportunity of conversing with the members and the information he has given has afforded light and satisfaction, I think it not improbable that his services will be wanted and that he may be employed. I shall not fail to communicate your recommendation of him at the proper time.[2]

I understand your assembly have passed the funding bill under certain restrictions & limitations.[3] I have not yet seen the Act. I wish it may be productive of the benefits expected and not attended with the evils apprehended. I confess I have some fears and am sorry there is

any occasion for thus deviating from fœderal Measures. Unless the states can be brought to act more together and take the necessary steps for fulfilling national engagements and supporting public credit I have serious apprehensions that the Confederacy will sink in reputation and glory and be taught by dear bought experience of what importance it is to maintain both.

With Compliments to Mrs. D & Cousin Sally, I am Dear Sir, Your affectionate humble Serv, Cha Thomson

RC (PPL: Logan-Dickinson Collection).

[1] See Joseph Gardner to George Bryan, March 19, note 4.

[2] A March 10 letter from Dorsey Pentecost seeking an appointment as Register of lands in one of the proposed new western states is in PCC, item 42, 6:306–9. Dickinson's February 19 recommendation of him is not in PCC, but a letter of that date from Pentecost to Dickinson on the subject of his recent experience in attempting to patent western lands, is in *Pa. Archives,* 1st ser. 10:413–15.

[3] For the struggle over the Pennsylvania funding bill, which has been termed one "between speculators in depreciated public certificates and property owners who would be called on for additional taxes to fund these certificates," see Brunhouse, *Counter-Revolution in Pennsylvania,* pp. 170–71.

William Henry to George Bryan

Dr Sir, New York the 25th March 1785

The principal business now before Congress is the disposing of the lands lately purchasd and the making of a second purchas.[1] Much time has been spent by a Commitee of one from each of twelve states on the first and it is probable the lands will be sold by Districts of ten or twelve miles squair to the highest bider above sutch price as Congress may fix for the acre. A number of districts will probably put up to sell in the different states perhaps nearly in proportion to their demands. The Commisioners are authorised to make the second purchas to the Mesasipi, and as the Indians have ofered those lands fore sale there will probably be little Dificulty on purchasing them. Commisioners are apointed to hol[d] a Treaty with the Creeks, Chirokees &c.

The place for holding the federal Court for Massachusetts and New York is not yet determind.

Longchamps affair was to have beeen brought foreward this day but is again gon off by an ajornment to Monday nixt. Your French Pamphlet came very apropo as it has ran through a number of able hands since and is now in Mr Jays.[2]

What are our Assembly about, have they passd the Law for regulating Elections, if this is not don I [*think*] they will not hold thier seats another year.

I am Sir your Huml. Servt, William Henry

[*P.S.*] Pleas to forward the inclosed to Mrs. H.

RC (PHi: Bryan Papers).

[1] See Joseph Gardner to Bryan, March 19, note 4.

[2] See Henry to Bryan, February 26, notes 2 and 3.

Charles Stewart to William Livingston

Sir New York 25th March 1785

When I took the liberty of naming your Excellency as Minister to the Court of Uni[ted Neth]erlands it was from a full assurance that the m[easure?] was so proper that it must succeed. I [. . .] it attract the attention of every person on the Floor of Congress, and that the Gentlemen who had previously named Mr. Harrison & Mr. Rutledge returned but faint if any hopes of success & Mr. Harrisons friends hinted they would withdraw his name. I did not quite like your Answer; & therefore shewed it only to Mr. Beatty, *under an injunction not to give out that it was a refusal,* & left it with Mr. Jay. I did not look on it as a positive refusal and [am inclined] not to withdraw Your name, *or suffer it to be done,* unless I have your express Orders so to do.[1] Your excuse about Old Age and Abilities are needless to Me, I guess at both, and compare them with Doctor Franklins powers when He went last to Europe. Permit me to deal plainly with you. I know there are persons in the State who would wish you abroad to make room for a new Governor. And I see there are others who wish you not to go, for [. . .] were sure You were too Old, and I am sure they are sorry they did not name You old as You are. As to myself I named You because I thought you chalked out by God Almighty as the Most proper person to be Our Minister at the Hauge & without any design to compliment or flatter you. And I repeat with great confidence that there can be very little doubt of Your being Elected, therefore I beg you to consider of this matter untill next Monday And if I do not hear from You by that time, I shall conclude You will Accept th appointment & [am] with proper Respect Your Excellencys most Obedient Servant,

Chas Stewart

RC (MHi: Livingston Papers).

[1] Despite opposition to maintaining a substantial diplomatic establishment abroad, Congress had resolved on March 7 to appoint a successor to John Adams as minister to the Netherlands after his election as minister to Britain on February 24, although the appointment was not finally made until June. See James Monroe to Thomas Jefferson, April 12, note 6. Stewart had previously proposed Livingston's appointment in a now missing letter which Livingston had rebuffed on March 21, pleading his age. Seeing a ray of hope in Livingston's explanation that "was I twenty years younger than I am, I should make no excuse," Stewart nonetheless persisted, but to no avail as the governor promptly declined the appointment when it was made on June 23. See *JCC,* 28:98, 122, 474, 481; Livingston, *Papers* (Prince), 5:179–82; and Charles Thomson to Livingston, June 23, 1785.

Abiel Foster to Thomas Jefferson

Sir. New York 26th March 1785.

The Honble. Mr. Cook a Member of Congress from the State of Connecticut, from the good opinion he has concieved of Capt. John Lamb, wishes me to enclose a Letter of recommendation address'd to me by my worthy friend Genl. Parsons, at the time Mr. Lamb produced his other credentials to Congress. The Honble. Mr. Jay has so fully stated the opinion of Congress to the Commissioners respecting those other credentials, that I need say nothing on that head.[1] You have my warmest wishes for the success of your negotiations, and for your personal health & prosperity. I am, Sir with sentiments of esteem & respect, your most obedient & very humble Servt.,

Abiel Foster

RC (DLC: Jefferson Papers).

[1] John Lamb had offered his services to assist in negotiating a "treaty of amity and Commerce with the States of Barbary" in a memorial that Congress had referred to the secretary for foreign affairs on February 9. Secretary John Jay's report on the memorial—"that Mr. Lamb might probably be employed by [the American plenipotentiaries] to advantage as an Agent in the Business"—was adopted February 15. See PCC, item 42, 4:368–71, item 81, 1:5–8; and *JCC*, 28:54n, 55n, 64, 67. The enclosed January 1 letter of recommendation to Foster from Samuel Holden Parsons is in the Jefferson Papers, DLC.

For Jay's official instructions to Jefferson concerning Lamb and prospective negotiations with Algiers, Morocco, Tripoli, and Tunis, see Jefferson, *Papers* (Boyd), 8:19–22, 610–24, 9:8–9.

William Samuel Johnson to Samuel Holden Parsons

Dr. Sr. New York March 26th. 1785.

I have receiv'd, I imagine all your favors down to the 10th Instt. & thank you, as I am obliged to do other Friends for them all at once—as well as for those which I hope to receive for I can write but little indeed. It is not, I assure you, any aversion I have contracted to it, much less any neglect, but of real disability of writing a legible hand unless so slowly as it cuts me off from any extensive correspondence. Besides, between Business, which I will not neglect, & Company, which I cannot avoid, you cannot concieve how few Moments I have left in which I could write. I attend however, to all yr. Intimations & endeavour to make a good Use of them. I have not been able to serve our Friends Capts. Lamb[1] & Harding so effectually as I could wish. The Case of the latter was Reported upon against him, & in Consequence he is in Goal.[2] I will not yet say *unfortunately*, because I have made that the ground of a second warm Application to Congress in his behalf, which

has produced a recommitment of his Petition, & I have hope may cause something to be done for him. How hard is our Fate, that the brave & deserving Servants of the Publick must lie in Goal, & be subjected to a thousand hardships for want of that Money which their services have merited, which we acknowledge we owe & wish to pay them! It is not however the inattention or negligence of Congress that occasions This, but their inability alone. They Pity, but cannot relieve And it is with great Concern I acquaint you, that all the flattering hopes we had formed of soon seeing a remedy for this enormous Evil are now Dash'd by the refusal Yesterday of the Senate of New York to grant the 5 per Cent Impost. The Bill for that purpose was rejected by a Majority of two. I have been perfectly attentive to your particular Interest, but With it to little purpose other than that of laying foundations which may perhaps be built upon hereafter. You have no Idea, at least I could form none, of the innumerable pressing & even vehement solicitations here for Office & Emolument, nor of the assiduities & Arts which are applied to give success to them. I have much more to say to you on this & several other subjects than it is possible or *proper* for me to write. I hope I may have the happiness to see you sometime in May, & give you the detail. In the mean time be assured that your Interest will at no proper moment be remov'd from the Mind of, Dr. Sr., Your very affectionate Friend & most obedient, humble Servant,

Wm. Saml. Johnson

RC (OClWHi: MS Collection 3204). Addressed: "Majr. General S. H. Parsons Esqr., Middletown."

[1] Parsons had also recommended John Lamb to New Hampshire delegate Abiel Foster, who enclosed Parsons' recommendation with his letter of this date to Thomas Jefferson, for which see the preceding entry.

[2] A memorial from Capt. Seth Harding, seeking reimbursement for expenditures he had made in outfitting the Continental frigate *Confederacy*, had been referred on March 4 to a committee which reported March 14. The report was referred on March 24 to a committee consisting of William Grayson, William Ellery, and Johnson, which recommended on April 4 that Harding be allowed $1,200. The committee's recommendations were referred the following day to the commissioner for settling Continental marine accounts, Joseph Pennell, who reported that he could not act on the claim because Harding had never submitted required vouchers. After debating Pennell's report, Congress postponed further consideration of the issue on April 19, although it had in the meantime approved a partial payment to Harding of $500 pending final settlement of the claim. See *JCC*, 28:121n, 154–55, 197n, 228, 232n, 238n, 243–44, 269, 276n, 279.

William Samuel Johnson to Jeremiah Wadsworth

Dr Sr, N York Mar. 26th. 1785

I rec'd yr. favr. & must return you my best thanks both for that & by anticipation for the many others which I hope to receive from you.

The Instructions you have or shall be so good as to give me shall as far as possible be made a good use of & in this way while I continue in this situation you may perhaps be yourself & render me of some use to our common Country which certainly extremely wants the aid of all such Men as I am convinced you are. I wish extremely you had an immediate part in the affairs of our nasscent Empire which blessed with all the means & rising to the fairest prospects of felicity & glory seems already destined ⟨*verging*⟩ to ruin thro the perverse narrowness & timidity & obstinancy of some of our countrymen. Sorry I am to tell you the Senate of NY. have by a Majy of two rejectd. the Impost Bill & Dashed all our good hopes & of a speedy establishmt of our Reputation for Justice, Interest & Honor.[1] What shall we do next? It is hard to endure the stain & injury which must be derived from a Charactr. of Perfidy, ingratitude, injustice & folly when the bulk of the sensible & virtuous part of the Community are both able & willing to efface it by vig[orou]s & virt[ou]s Efforts & are only impedd & restraind by the baseness & meanness of a few. Upon the resignn. of Genal. Schyler I did my endeav[or]s to give you the trouble of assistg to Conduct our Federal Buildings, but the Intrigues of Rhode Island were too powerful for me. I sho'd have probably succeeded had I sooner had Notice of the resignatn. which had arrivd. bef[or]e my return. I shou'd have deserv'd. no thanks from you. I am sensible for giving you that trouble but I think you would have derived some Honr. & the U.S. much benefit from it, which ought to be a sufficient Apology. The Troops in Conn[ecticu]t are disat[isfie]d & I am glad to find we can have others cheaper if we have occasion for them.[2] It is not yet determin'd to raise any. I am with the greatest Esteem & respect Dr. Sr. your most obedt. huml Servt.

[*P.S.*] My amiable Neighbour whom I have seen several times since my return I presume herself acquaints you that she is well & happy.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] See Rufus King to Elbridge Gerry, March 24, note 4. Wadsworth wrote in reply to Johnson on April 3: "I am exceedingly mortified at the conduct of the New York Senate: but I hope Congress will persevere in their demand for a General impost as any alteration of their System will probably be attended with equal delays. The American Character began to sink before I left Europe. I am glad I did not remain their, to blush for my Country: which by this time I fear is sunk very low. I can remember no period of the Warr when I looked on our affairs with so much despondency, as at present: yet I will not despair—agreeing with you that 'the bulk of the sensible and Virtuous part of America are willing to prevent our ruin by Virtuous and Vigorous efforts.'" Johnson Papers, CtHi.

[2] "I am of the Opinion," Wadsworth had written on March 13, "that troops might be raised for five dollars a Month as many as may be wanted in raise'g new Corps. Ought not the experiment to be tried. If the troops now in this State on furlow were paid and disbanded I am persuaded they would to a Man enlist again for five dollars per Month: indeed five dollars a Month, and Cloth'g and food, is better pay, than such men, as generally inlist for Soldiers, can obtain any other way." Ibid. For Congress' April 12 troop

requisition, which called on Connecticut for 165 noncommissioned officers and privates, see Charles Thomson to Certain States, April 12, 1785.

Charles Thomson to John Dickinson

Sir, Secy's Office March 26. 1785

I take the liberty of enclosing a letter for R. Butler esqr. one of the commissioners for negotiating with the Western Indians. As it contains instructions to the comrs. to proceed to a farther treaty with the Western tribes a copy of which I enclose for your own information & satisfaction,[1] I have to request the favour of you to forward the letter for Mr Butler. This favour I am induced to ask as it is of importance that he have the earliest notice of these instructions and I cannot learn where to direct for him.

With great respect I am, Dear Sir, Your Most obedient humble Servt

Cha Thomson

RC (PPL: Logan-Dickinson Collection).

[1] The letter for Richard Butler has not been found, but it was apparently one from Thomson dated the 24th enclosing instructions for the Indian commissioners which they (Butler, George Rogers Clark, and Oliver Wolcott) acknowledged in an April 25 letter to Congress that is in PCC, item 56, fols. 319–22. The March 18 instructions directed the holding of a treaty with "the Potowatama, Twightwee, Piankishaw and other western nations . . . at post Vincent [Vincennes], on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the Commissioners may find more convenient." See *JCC*, 28:180–81; and Thomson's Memorandum Book, March 1–31, note 51.

Richard Dobbs Spaight to William Blount

Dear Sir, New York 27th. March 1785.

In my letter to you of the 19th Instant,[1] I informed you, that the Delegation had nominated Benjn. Hawkins as one of the Indian Commissioners for the southern department. The Election came on, on Monday last—when he was almost unanimously appointed eleven out of twelve States voting for him. The Jealousy of the circumscribed States, who thought that under the Idea of making peace with the Indians we had some under hand designs, which might be fatal to their claim of an eaqual partition of unlocated western territory among the members of the Union—Occationed a Mr. Danl. Carrol & a Mr. Perry to be elected his colleagues, the first from Maryland the other from Delaware State. They thought these two persons would be a check upon any designs that the southern States might have. This of course gave very great dissatisfaction to the southern States, and occationed a

motion to be brought forward, for the Appointment of two additional commissioners, as neither Virginia, So. Carolina or Georgia had one, which after considerable opposition was at last agreed to—the persons elected were Genl. Pickens of So. Carolina & Colo. Jos[ep]h Martin of our State, he being nominated by the State of Virginia.[2]

They are instructed to meet at Charleston on the 16th of May to consult & take the necessary steps for carrying the resolution into Effect.[3]

We have no news from Europe tho, British packets for January & February are daily expected, also a french packet—the January packet I expect has been blown of[f] to the West indies.

Mr. Sitgreaves desires me to present his compliments to you. I am with very great Regard & Esteem, Dear Sir, Your most Obt. Servant,

Richd. Dobbs Spaight.

RC (Nc–Ar: Blount Papers).

[1] Not found.

[2] See Charles Thomson to Certain States, March 24. Joseph Martin (1740–1808) was a native of Virginia who had moved to newly created Sullivan County, N.C., at the end of the war, from where he was elected to the North Carolina Assembly in the spring of 1783. He returned to Virginia in 1789 and served in the Virginia legislature, 1791–99. *Dict. of N.C. Biog.*, 4:228–29.

[3] See Charles Thomson to the Indian Commissioners, March 24.

William Hindman to William Paca

My dear sir New-York March 28th. 1785

Congress have not as yet elected a Minister for the Hague. The English Packet which ought to have been here some Time ago is not yet arrived, so that We have no foreign News. There are twelve States represented in Congress & one Member from Georgia. Mr. Henry & Mr. McHenry are now here, the latter intends for Philadelphia in a few Days on a Visit to Mrs. McHenry who is now there. Mr. Scott informs Me he shall set out for this City immediately after the Eastern Shore General Court.[1] Neither the Grand Committee appointd to report on the necessary Requisitions nor the Land Committee have as yet reported.

I am with best Respects to all Friends, most affectionately, Yrs &ca.

Wm. Hindman

RC (MdAA: Red Books).

[1] That is Gustavus Scott, who with Samuel Chase, John Henry, James McHenry, Luther Martin, and Hindman had been elected by the Maryland Assembly in December 1784 to represent the state in Congress the ensuing year. *JCC*, 28:47–48. Despite Hindman's expectations, Scott never attended Congress.

Charles Thomson to Certain States

Sir, Secretary's Office March 28. 1785

In the latter end of January last Congress received information of a wicked attempt to defraud the public by counterfeiting the certificates of final settlement given to the Officers and soldiers of the United States by the Commissioner for settling the accounts of the army.[1] The fraud appeared the more alarming as the villains concerned seemed to be possessed of a secret which tended to destroy the credit of all writings and to produce the most mischievous consequences by rendering all written contracts insecure. For it appeared that though the words were altered and the sums changed, the paper remained undefaced. In Consequence of this information Congress issued the Proclamation of which I enclose a copy.[2]

Last week one Davison came to this city for the purpose, as he said, of disclosing the whole scene of villainy. A Committee was appointed to take his examination. This morning they brought in a report accompanied with his deposition, which for the greater dispatch and secresy Congress were pleased to refer to me to take Order.[3] I therefore embrace the earliest opportunity of transmitting to Your excellency a copy of the said report and deposition, which will sufficiently evince the necessity and importance of adopting the most speedy and effectual measures to put a stop to villainy so injurious to private property and destructive of public credit, by securing and bringing to justice the individuals of so dangerous a combination.

Relying on your Excellency to give the necessary Orders I shall not trouble you with any thing more at present than the assurance that I am, with the greatest Respect, Your Excellency's Most Obedient and Most humble Servt, Cha Thomson

RC (R–Ar: Letters to Governors). LB (DNA: PCC, item 18A). Addressed: "To His Exy the President of Newhampshire, the Governor of Massachusetts, the Governor of Rhodeisland & Prov. Planta[tions]."

[1] See Abiel Foster to Joseph Howell, January 10, note 2.

[2] For this February 2 proclamation, see *JCC*, 28:32–34.

[3] For the appointment on March 24 of a committee to examine Benjamin Davison "on the plot to forge army pay settlement certificates," and its recommendation to distribute Davison's deposition to New Hampshire, Massachusetts, and Rhode Island which Congress endorsed this day, see *JCC*, 28:197n, 206. Davison's deposition before the committee and Thomson's account of Davison's arrival in New York on March 23 "with a view of giving Congress information respecting the forgers," are in PCC, item 167, fols. 175, 185–89. Thomson's account, which he mistakenly endorsed March 24, 1784 [not 1785], appears in the published journals under that erroneous date at *JCC*, 26:165.

Hugh Williamson to Richard Caswell

Sir New York 28th March 1785

The inclosed for the Govr. of N. Carolina is forwarded to you,[1] the Delegates from the State thinking it probable that the Delays to which it will be subjected in reaching the Hand of Govr. Martin may prove fatal to the Design. The Delegates are not informed of the Time on which the administration comes into your Hands but they presume that you will think fit to open the inclosed when it comes to Hand, and that you will detain it till you can act upon it or forward it with Dispatch to Govr. Martin as the Exigence of the Case may seem to require.

I have the Honor to be with the utmost Consideration, Sir, Your obedt hble Servt. Hu Williamson

RC (NjMoHP: Lloyd W. Smith Collection).

[1] Apparently Charles Thomson's letter to Gov. Alexander Martin enclosing documents on negotiating with the southern Indians, for which see Thomson to Certain States, March 24.

Abiel Foster to Jonathan Blanchard

Dear Sir.[1] New York 30th March 1785.

Your very agreeable favor of the 8th of Febry. came safe to hand, for which I am much obliged. My duties on a grand Committee, which sit's at Nine in the morning, has put it out of my power to return an earlier answer.

My nearer approach to New Hampr., added to the great politeness of the Citizens of New York, renders my present situation very agreeable. The circumstance of beautiful Ladies, is of no great consequence to one, who contemplates them in the same light as he would good paintings—to please the Eye only.

You would be surprized to see the revolution in Congress since the last year. Eastward of Virginia remain of last years Members only my self, Mr. Ellery, Mr. Howell, Mr. Beatty & McHenry, from Virginia, Hardy & Munroe—to the southward of Virginia, Williamson & Spaight. The Prince of the south, who used, as you well remember, to speak great swelling words, is lately retired.[2]

The Grand Committee have agreed to report a requisition to Congress for three Million's Dollars for the current year to be called for out of the remaining part formd requisition for 8 Millions Dolars the Quota of our State after a new Modle of the Quota will be 105,416 Dolars.[3]

RC (NHi: Miscellaneous Manuscripts). In the hand of Abiel Foster; signature clipped.

[1] Undoubtedly Jonathan Blanchard, who had been Foster's colleague in Congress March to June 1784, the subject of Foster's third paragraph.

[2] Probably John Francis Mercer of Virginia.

[3] This committee report was read in Congress the following day, for which see *JCC*, 28:214–20.

William Hindman to William Paca

Dear Sir New-York March 30th. 1785

The British Jany. Packet arrived here on Monday last, having had eleven Weeks passage, and of Course brings no News.

The Senate of this State at their now sitting brought in a Bill for the Purpose of laying a Duty of 5 per Cent agreeably to the Recommendation of Congress, which was rejected;[1] there were eight Members in Favor of the Bill & eleven against it; the other Branch of their Legislature have not taken that Subject up since their present Session: it is said a large Majority of that House are opposed to the Measure; the Friends to it flatter themselves a new Assembly will adopt the Recommendation. Rhode-Island has passed the Shadow of a 5 per Cent Impost, a Copy of which Law was in one of the Papers I transmitted You. The Weather of this Month has been remarkably bad—very few Days here without Snow, most of which I presume has been Rain with You.

I am, most sincerely Yrs. &c, Wm. Hindman

RC (MdAA: Red Books).

[1] See Rufus King to Elbridge Gerry, March 24, note 4.

James McHenry's Draft Committee Report

[ante March 31, 1785][1]

The committee to whom was referred several motions on the subject of facilities beg leave to report—

That the several legislatures be admitted so to model the collection of the sums to be called for that one half of any sum being paid in actual money the other half may be discharged by the interest arising on loan office certificates, the army debt and other liquidated debts of the U.S.

That to ascertain the evidences of the interest arising on certificates of the aforesaid description receivable in taxes in lieu of money the holders be at liberty to carry the same to the loan office of the State of

which he is a citizen, or if a foriegner to ⟨*the*⟩ any loan office ⟨*of the State in which they were issued*⟩ in the U States, and to have the interest due thereon settled and certified to the last day of the year 1783.

That the board of treasury cause to be made a bank paper, and thereon to be struck a form of a certificate which shall specify the interest due as aforesaid, and transmit to the several loan offices a certain number of said certificates with proper blanks ⟨*and under such cautions as they may judge necessary to prevent frauds or counterfeits of the same*⟩.

That the board of treasury transmit to the several loan offices such checks and instructions from time to time as they may judge necessary to prevent counterfieted evidences of debts from obtaining a settlement of interest, and to the continental receiver in each state such checks and instructions as may enable the same to detect counterfieted evidences of interest receivable in taxes as aforesaid.

That the certificates of interest be receivable from the bearer in lieu of money either in the State in which they issued or in any other State in the proportion before stated.

That the State receiving such certificates in the aforesaid proportion and paying the same into the public treasury have credit therefor in the aforesaid proportion, which payment by the State be considered as a discharge of the interest due on the domestic debt in the proportion that each State avails itself of the aforesaid evidences, and should any State pay into the public treasury a greater proportion in actual money than one half of its quota that the same be applied according to the estimate giving preference to the discharge of the expences of internal government and the interest due upon the foreign debt.

MS (DLC: Peter Force Miscellany). In the hand of James McHenry.

[1] McHenry apparently drafted this report as a member of a subcommittee of the grand committee that was instructed January 24 "to report a requisition on the states." *JCC*, 28:15. Issues related to setting the requisition for 1785 were assigned to a number of subcommittees, some with overlapping concerns, and portions of McHenry's report echo recommendations found in the report of the subcommittee on the memorial of "Holders of Loan Office Certificates," for which see Grand Committee Minutes of Proceedings, January 29, note 10. When McHenry composed the present report cannot be determined, but a major portion of it was incorporated almost verbatim into the grand committee report submitted March 31, for which see *JCC*, 28:217–18.

The origin of the term "facilities" to describe discounts or credits to be allowed to the states for interest payments on loan office certificates made to their own citizens is somewhat obscure. The states had been under pressure to assume responsibility for loan office interest payments since the suspension of such payments by the Continental loan offices on September 9, 1782, and Pennsylvania had led the way in March 1783 in issuing certificates or indents in payment of interest to public creditors. Over the opposition of the superintendent of finance, the state designated $180,000 of such interest payments for its 1783 Continental quota, and other states had followed her example. Faced with this fait accompli, Congress could do little but attempt to set the percentage each state would be allowed as a credit on its quota for such interest payments, and in the debates on the 1785 requisition proposals for setting the limitation at one-half and at two-thirds were offered. The former figure was incorporated into the grand commit-

tee report of March 31, and the latter in the revised report taken up July 18. Cf. *JCC*, 28:217, 29:545. For discussion of the movement to allow the states credit for loan office interest payments, see E. James Ferguson, *The Power of the Purse* (Chapel Hill: University of North Carolina Press, 1961), pp. 222–25; and Morris, *Papers* (Ferguson), 7:146–47, 522–25. For one delegate's explanation of "the doctrine of facilities or discounts of interest" under debate in July, see David Jackson to George Bryan, July 27, 1785.

Rufus King to Elbridge Gerry

Dr. Gerry, 31st. March [17]85.

We have a Letter from Mr. J. Adams dated Auteil 10th Jany. 85—which informs that by a Letter from his Bankers at Amsterdam he learns that the last loan is nearly complete[1]—of consequence we must have in Europe subject to the order of Congress a very considerable sum of money.

Mr. Adams advises to the opening of a new loan, but laments that he has put his hand heretofore to contracts which leave so heavy a load on his fellow Citizens, and which will prove so injurious a drain of the industrious earnings of his country men. Some how or other this is inconsistent. Mr. A. laments our burdens yet advises an increase of them. I do not know why we shd. borrow more money.[2]

Nothing new has taken place in Congress, we are now warmly entered into the business of requisition for money, Troops &c. My Colleague the Doctor has been sick this week past, and we are unrepresented. However I hope he will soon be out.

Adieu R King

[*P.S.*] You will observe this to be a Letter written in Congress &ca. I send you News papers &c.

RC (NHi: King Papers).

[1] Adams' letter is in PCC, item 84, 5:367–70; and *Diplomatic Correspondence, 1783–89*, 1:472–73.

[2] Another issue raised by Adams and recently disposed of by Congress was the subject of a letter of this date to him from the secretary for foreign affairs, John Jay. Adams had reported in April 1784 that American candidates for ordination coming before the Archbishop of Canterbury could obtain holy orders only if they subscribed a British oath of allegiance, a matter that he had mentioned to the Danish minister to the States General. He then inquired whether such American candidates might obtain ordination in Denmark, and was subsequently informed that royal approval would be granted for the performance of such rites by Danish bishops, and "for the convenience of Americans, who are supposed not to know the Danish language, the latin language will be made use of." The matter had been referred to a committee on foreign dispatches which submitted a report on December 9, 1784, but was not taken up until March 21, 1785, when Congress directed Adams to thank the Danish minister, baron de St. Saphorin, for "the liberal decision made by his Majesty on the question." This resolution was sent to Adams in a March 31 letter from Jay. See *JCC*, 27:674, 28:187; PCC, item 84, 5:285–97; and *Diplomatic Correspondence, 1783–89*, 1:453–55.

Rufus King to Elbridge Gerry

Dr Sir, NY. 31st March 1785

I this moment recd. by post a short line from you with out date inclosing the Edict of the French King regulating the commerce of the W. Indies[1]—you mention that you have repe[a]tedly written me since your leaving us, but the Letter by this post is but the second that has come to hand. The Post goes at one OClock & I will add a few words whilst the House are settling the duties of the Secretary of Congress, in a second Reading of the ordinance.[2] New York yesterday renewed their proposal to write to Mr. Wythe, proposing to him to come farther northward than Williamsburgh to hold our federal Court. I remain in the same Opinion on this subject as when the proposal was before made—and if we agree on the form of a Letter, my Colleague & I shall join. It will not be possible for the Court to be held so soon as was expected.

The business of a requisition for monies for 1785 is soon to be determined on;[3] the amount will be Three millions of Dols. After some considerable opposition the G. Comee. agreed to a payment of one Half only in real money and the other Half in Facilities. The apportionment was made by the G. Comee. conformably to the former apportionment of the 1,500,000 Dol.

This is conceived to be hard on Virginia & New Jersey—too light on N York, Pennsylvania, North Car., South Car., & Georgia—if any alteration takes place, I shall urge the peculiarity of the situation of Massachusetts, considering her former advances, her punctual redemption of the old money, her loss, by the want of that punctuality in other States—her exhausted condition in relation to real specie—the want of a Staple & the languishing appearance of her commerce.

And hope that the statement may be such as rather to exonerate her from the proposed Apportionment, than hold her forth as able to bear a part of those States burdens who may conceive themselves overloaded.

Best farewell, Yours RK

RC (NHi: King Papers).

[1] See King, *Correspondence* (King), 1:74.

[2] For the adoption of this ordinance, see Charles Thomson to Hannah Thomson, April 3, note 2.

[3] The report of the grand committee on this subject was submitted this day. *JCC*, 28:214–20. See also Charles Pinckney to Benjamin Guerard, January 2, note 4.

William Houstoun to Samuel Elbert

Sir, New York 2d April 1785.

I a few days ago did myself the honor of forwarding to you the Jour-

nals of Congress as far as they were printed—And at the same time Mentioned every necessary Occurrence that I could recollect.[1] By this opportunity I Send a resolve for holding a treaty with the Southern Indians.[2] As you'l find the whole of this business fully recited in the resolve and as my late letters and the Journals of Congress enclosed—Contained every Material Information respecting the proceedings of Congress I shall now hasten to announce to you that the whole body of Congress are become so clamorous against our State, that I Shudder for the consequences; but, as my late letters have all gone fully into the particulars—I shall therefore now only assure you (as I think it my duty to State facts) that it is very seriously talked of—Either to make a tryal of Voting Georgia out of the Union or to fall upon some means of taking coercive measures against her. In truth I do not think at any one time since the Existence of Georgia she has been in a worse situation than at present. Her conduct is more particularly marked as for the last six weeks we have had the whole twelve States upon the floor—she stands alone only half represented—And as it is reported here that she is a rich & flourishing State—the most infamous Motives are imputed to her. As we were much connected with the So. Indians I took the liberty to mention that I thought a Commissioner ought to be appointed from our state—but, I was very severely replyed to for suggesting that the least Countenance ought to be given to so unworthy a State—And one that had not taken a single foderal measure. From your known patriotism, I doubt not Sir, you must feel sensibly for the dreadful situation of our Country, with respect to her lost reputation in that quarter where it is her Interest—as well as her duty to stand high—and I can't help still hoping on your making such Exertions as may redeem her. For my own part I am really so fully affected that I almost curse the hour that placed me in a situation to be privy to such cruel aspersions against that Country that gave me birth. And sir my breast is so wrung with reflecting on these things that I do not find myself competent to write with that precision that might be expected from me. With respect to my own immediate situation it is more distressing than I ever expected from my Circumstances in life, I could be reduced to.

I Sir, as well from a disinterested Zeal, God knows, of serving my Country—as from the warm persuasions of those who paid more attention to public Matters than to my private Interest—agreed to leave a comfortable place in the midst of my relations & other friends—where If I was not amassing wealth I was however Making more than my daily Expences & of course laying by money—to come to a strange land amongst Strangers—under a full Confidence that my Country whilst I was making every Sacrifice in my power to serve her, would not abandon me, and make the ungrateful return of giving me up as a Victim. But sir now so it is—for after I had exhausted every shilling of my own altho' desirous of returning home still from reasons that were Convincing to me that I could be of much use to our State (as well by

defending her from the very unfavourable Attacks that were Constantly made upon her and wh. might have been followed wt. something more substantial, and keeping her Interest in the same forwardness & as her Sister States as many other things of much Consequence.) I was seduced to remain in Congress—thinking there could not be a doubt but that I should at least have my Expences Remitted to me & I from time to time have been borrowing money in this Country for which I am now exceedingly pressed & so much involved that it is impossible for me to think of moving till I receive a pecuniary Relief sufficient to extricate me And in the mean time must be perplexed in finding farther Means for my support. I hope sir every principle of Justice as well as the Respect due to the Character and office I bear, will induce you to transmit to me, as soon as can be, the necessary supplies for my immediate assistance—as much as will enable me to return home, which is my earnest desire, or if it should be the will of the state for me to remain longer, as will allow to Stay at least without dishonour to my self or Country. You'l Recollect sir that I have never received any thing from the state except a bill for a hundred & odd pounds before I left Savannah. It is therefore much in arrear to me, I shall be ready upon oath to give an account of the unavoidable Expenditures I have been put to—and freely to loose such sums as I raised upon my private account and have spent in the Public Service. My Case is singularly hard, as Every other State since the peace has made ample provision for their Delegates thinking it a Matter of the first Consequence—And altho' some of them have four Members on the floor they regularly send them their Supplies and keep them satisfied and at their Ease. My office is doubly labourious as I am obliged to pay Constant attention to public matters—and to employ such time as I can get in working for my daily support without any visible means.

I appeal to the Journals if I have ever been absent from Congress one day since I first took my Seat notwithstanding all the difficulties I have had to struggle with. I feel a Consciousness that I have been the Instrument of preventing some very opprobrious measures against the State—and that I saved her some thousands of dollars in fixing her last quota. With Respect to the Rest of my conduct I am prepared—and desirous to meet the most accurate Scrutiny. I should not Sir have been thus prolix did I not conceive there must be some prejudices in the State agst. Me or surely no Christian people could treat me so unworthyly. It is now four months since I have Received any account of the proceedings of the state. I have by accident heard who was elected Governor. I have been able to collect from the Delegates of So. Carolina that they are in momentary expectation (from their Governors Letter) of receiving Instructions for an application to Congress in Respect to the disputed Territory between the two States[3]—as

there was not the least prospect of the Commissioners being able to adjust this matter.

I am aware your Honor will pay that due Consideration to this very important point which it deserves. I shall only Mention that the rooted prejudices in Congress agst. our State may subject us to disadvantage. And from the great number of Members in Congress (more I believe—than were ever known at any one time) Spirited Measures will certainly upon every occasion be adopted, and carried into Execution with force—As Congress are apprized that they never possessed so many resources, so much power, and so much Consequence as at present. I shall now conclude with repeating and beseeching you to give serious attention to my situation as it is a Stake to me of the most alarming nature.

I have the honor to be, with all due respect, Your Honors most obt servt. Wm Houstoun

N.B. Should there be no immediate oppy. from Georgia by which I can hear from you there are Vessels weekly sailing from Chas. Ton to both Philadelphia & New York.

RC (PHi: Gratz Collection).

[1] Not found.

[2] See Charles Thomson to Certain States, March 24. For Elbert's receipt of this letter and the impact of this information on Georgia's own plans for negotiating with the Indians, see George R. Lamplugh, "Farewell to the Revolution: Georgia in 1785," *Georgia Historical Quarterly* 56 (Fall 1972): 393–95.

[3] For which see Charles Thomson to Samuel Elbert, June 2, 1785.

Virginia Delegates to Patrick Henry

Sir New York April 2d. 1785.

We have the honor to enclose to your Excellency the resolutions of Congress authorizing the comptrouler to appoint a 2d commissr. for the settlement of the accounts of the State against the U. States, & instructing him to furnish Mr. Dunscomb with a commission to act in the room of Mr. Turner, and those resolutions which are necessary for them in the discharge of the duties of the office.[1] These two commissrs. are to act independently of each other, in the districts assign'd them, and each to judge of the resolutions of Congress as they apply to the cases before them upon the same principle as if they held their appointments to different states; the only object in the additional appointment being that of expediting the settlement, a claim the larger states are entitled to from the consideration that such a portion of these debts when liquidated are admitted in payment of the late requisition. The resolution admiting of circumstantial evidence where

the vouchers have been lost or under particular circumstances have never been obtain'd is so clear & explicit that neither Congress nor the delegation could conceive how a doubt could have been entertain'd by Mr. Turner respecting its import. We presume it will be impossible for any other person to misunderstand it and therefore flatter ourselves that those who may be now appointed, will proceed without delay in the accomplishment of this very important business. Agreeably to a condition of the act of cession of the territory no. westward of the Ohio we lately mov'd that a commissr. be appointed to liquidate the claims of the state arising under it, in the manner stipulated, and that the advances of the state for the purposes therein specified, be deducted out of the requisition for the present year. The motion was committed and the report brought in authoriz'd the appointment of the commissr. but took no notice of the claim for the deduction of the amount out of the riquisition.[2] We consider the claim of the state in that instance as standing upon very different ground from those debts due from the U. States to individual states, wh. arose under the common occurrences of the war, and of course that the method of payment shod. be different. This from a solemn compact between the two parties deriv'd its force from their accession to it, and of course any limitation to the paymt. not contain'd in the act itself, must be considerd as a contravention of it. We shall obtain the decision of Congress upon this point as soon as possible & transmit it to your Excellency. In the meantime we take the liberty to submit to you the propriety of suspending all further payments for the expences arising under that expedition & are with sentiments of the highest respect & esteem yr. Excellency's most obt. & very humble servants,

S. Hardy Willm. Grayson

Richard Henry Lee Jas. Monroe

RC (NjP: Straus Collection). Written by Monroe and signed by Monroe, Grayson, Hardy, and Lee.

[1] For the appointment of Andrew Dunscomb as a second commissioner for settling Virginia's Continental accounts, see Charles Thomson to Robert Morris, March 4, 1785.

[2] When Congress accepted Virginia's western land cession it agreed to reimburse the state for expenses incurred in George Rogers Clark's conquest and administration of the northwest territory and to join in a commission for determining those expenses. On February 25 Monroe had moved the appointment of the congressional commissioner and that the expenses determined upon "be deducted out of the requisition for the year 1785." The motion was referred to a committee consisting of Elbridge Gerry, Rufus King, and John Beatty, whose February 28 report was debated on April 13 when the Virginia delegates proposed again that the state be allowed to deduct half of the liquidated expenses from the requisition of 1785 and half from 1786. Congress, however, adopted the report as drafted, rejecting the delegates' motion, and assigning April 18 for the election of the congressional commissioner. John Smith was duly elected on the 21st, with a salary of $1,500 per annum, but he declined the appointment and was replaced on June 9 by Samuel Holden Parsons after the salary was raised to $6 per day. Following Parsons' appointment, Monroe offered on June 22 a revised version of his

February motion, requesting that monies and supplies advanced to Clark "be admitted in discount" to Virginia "provided they shall be liquidated during the operation of the present requisition," which was assigned on June 30 to a committee chaired by William Samuel Johnson that was discharged July 6. During debate over the requisition on July 18 the Virginia delegates made two final efforts to revive Monroe's June 22 motion but both were defeated. See *JCC*, 28:103, 106n, 258–61, 287, 365, 396n.2, 437–38, 442, 473–74, 489n, 29:547–49, 550n, 924; and PCC, item 36, 3:49–52, item 190, fol. 48. See also Rufus King to Timothy Pickering, May 8; and James Monroe to James Madison, July 12, note 1.

Charles Thomson to Hannah Thomson

Dear Hannah N 29. Sunday April 3. 1785

The badness of the weather having as I suppose prevented the arrival of the post, I have not had the pleasure of a letter from you since that of the 29 of last Month N 16, which I acknowledged the receipt of, in my last of the 31st No. 28.[1]

I mentioned in that letter that C had come to a decision on the business of my Office.[2] Though I had strong suspicions that the moving this matter originated in the ambition of one and the malice and resentment of another, I determined to let it take its course without deigning to interfere or to converse with any members upon it least I should seem to be courting favour. The Committee indeed to whom it was referred desiring to have my Opinion on the duties of the office & the necessity of erecting a new department, I gave it freely & subscribed my name, leaving them at full liberty to make what use of it or to shew it to whom they pleased. At the first opening of the business it appeared to be precipitated, and that though the plan of ambition might have been laid the measures of accomplishing it had not been concerted or fully arranged. However being brought forward it gave an opportunity of sounding the disposition of the states, but this was done with so little skill in political manœuvres as to turn the attention or at least direct their suspicions to an individual and to point out the measure as an object of ambition rather than of public utility, & the disposition of the house was shewn in such a way that whether the suspicions were well or ill founded, the feelings & pride of the individual must have been a good deal hurt. The plan and schemes of malice were deeper and better laid. Under pretence of collecting in one view the duties of the Office An Ordinance was prepared with such art that it should be rather for the purpose of establishing a new office than for ascertaining the powers of one already established. This would give an opportunity of a new election, and provided there was any probability of gratifying resentment in that way to say nothing of the term of continuance in Office, but if that could not be obtained, then to introduce a clause for an annual election. This plan was deep laid,

but much hurt by a sort of coalition with the other. However it was prosecuted with that persevering cunning & malice for which the author of it is distinguished.[3] Unfortunately for him what he conceived a masterly stroke & which he thought to have given from a masked battery displayed the author in his true colours and produced an effect the very contrary of what he wished.

I shall explain myself further when we have the pleasure of meeting. For as you observe I must reserve something for Conversation & not commit everything to writing.

We had last evening a violent storm of hail, snow & afterwards rain, with two or three severe claps of thunder. This I hope will prove the breaking up of the winter, which though it could not be called severe when compared with last winter yet has been long and tedious. From what I hear, the roads are extremely bad. Indeed it cannot be otherwise. The ground being so deeply soaked, and the surface so often frozen all last month & to this time no warm sun or drying winds to exhale the Moisture, I hope now for clear weather and fine roads. I have been to look at the garden or rather lot for a garden for it is altogether a waste behind the house I have taken. The Landlord has engaged a carpenter to make up the fence & make the necessary repairs about it. I do not think it will be worth while for me to do any thing towards putting it into order, till we take possession, especially as the stable is so situated that the horses are led to it through the garden. I have examined what used to be called the study and think it will answer extremely well for William and Ruth. There is a lamp just by the front door as you mentioned.

My love to Rob, Am. & Jonathan and to all friends. On Friday I recd. a letter from Gervais informing that he declines the Office of Commissioner so that there is an opening & chance for our friend G.C. I wish with all my heart the place was filled and the board set to business.

Adieu my dear Hannah, with unfeigned affection I am Your loving husband, Cha Thomson

[*P.S.*] Monday April 4. Just as I was going to seal this I recd. your two letters N 17 & 18 of 31 March & 1 April. I fancy J has not seen all the fields that are sown, for Joe, acknowledged to me there was about 100 acres or rather more in full grain. I enclose an account of Scot for engraving the seal and shall be much obliged if you will pay it & take his rect. William knows where he lives. C.T.

RC (DLC: Thomson Papers).

[1] The only preceding letter from Thomson to his wife written from New York that has been found is dated March 22, No. 24, printed above. His next to Hannah is dated April 6. The two exchanged letters frequently when they were apart, as witness the remarkable series of 34 letters that he wrote to Hannah from Princeton from June 20 to October 25, 1783, for which see volume 20 of these *Letters*. Thirty-three of that series surfaced in the public domain in the 1970s and were purchased by Princeton University. If

other letters from the New York series survive, their location is not known. Thomson returned to Philadelphia the week-end of April 16 (the journals of Congress are in the hand of Benjamin Bankson from April 18 through May 6) to complete arrangements for moving to New York, and since Hannah returned with him the occasion for their correspondence ended. A number of her New York letters are known, and a few of those have been published in "Letters of Hannah Thomson, 1785–1788," *PMHB* 14 (April 1890): 28–40.

[2] Thomson had long been unhappy with Congress and his position as its secretary, especially since its departure from Philadelphia in June 1783, and had apparently considered resigning since the breakup of the Committee of the States in Annapolis in August 1784. The prospect of moving with Congress to Trenton and then to New York had not set well with him, and the election November 30 of Richard Henry Lee as president of Congress, a leading member of the anti-Thomson faction, gave added stimulus to thoughts of retirement. He had angered many delegates over the years, and some who thought that he had sided with their enemies sought ways to curtail his influence. Elbridge Gerry, for example, was leading a Massachusetts attempt to require the annual election of the secretary of Congress, and in December voiced optimism over the prospect that Thomson would resign before moving to New York. Thomson, however, recovered his resolve to continue in office, and had become calmer again since the effort "to revise the institution of the Secretary" had not resulted in major changes that would undercut his authority.

This effort had revived with the appointment of a committee on January 31 consisting of David Howell, James Monroe, Charles Pinckney, Robert R. Livingston, and Joseph Gardner, who reported a draft ordinance on February 25 on which debate was scheduled for March 4 but postponed to March 18. An effort by Pinckney to delay its consideration to study "the propriety of creating a secretary for the home department" whose duties would be incorporated into the office of the secretary was rejected during this debate, as was a second such effort during a second reading on the 31st, immediately after which Congress proceeded to its third reading and adoption the same day. See *JCC*, 28:26n, 103–5, 173–78, 211–14; and PCC, item 31, fols. 275–80. For Thomson's view of Congress' efforts to reshape the duties of his office and exasperation at the drift of congressional policy since its flight from Philadelphia in June 1783, see Boyd S. Schlenther, *Charles Thomson, A Patriot's Pursuit* (Newark: University of Delaware Press, 1990), pp. 168–79.

[3] Probably Elbridge Gerry, who had also been the mover of the February 1784 attempt "to revise the regulation of the Department of Secretary of Congress." Arthur Lee, whom Thomson considered his most bitter enemy and one whom he apparently thought had twice attempted to poison him, was no longer in Congress. See *JCC*, 26:82; and Schlenther, *Charles Thomson*, pp. 178, 278n.26.

Abiel Foster to Joseph Howell

Sir New York 4 April 1785

I enclose a coppy of an Order drawn by Genl. Patterson on Colo. Trumbull, in favor of Capt. Ebenezer Sullivan informs me his Company refused to receive the money, unless he would make up the depreciation, & that this circumstance prevented him from drawing the same.

I have forwarded a copy of the Order to Colo. Trumbull, and have received his answer, Copy of which I enclose for your aid in searching into affair. If you will be so obliging as to investigate the subject, and

transmit to me the result, it will enable me to give Mr. Sullivan the information he wishes.[1] Abiel Foster

Tr (DNA: RG 93, 136:73–74).

[1] For Sullivan's claim, see Foster to Howell, February 12, 1785. The following April 9 response from Howell is in RG 93, 136:76, DNA.

"In answer to your favor of the 4 Inst. I have to inform you that I examined the Accounts of Col. Trumbull and find that Genl. Patterson (while Colonel) received sundry Sums of Money on Abstracts for pay of his Regiment in the Year 1776, but as those Abstracts to not specify the amount of pay due each Company, I cannot give you the necessary information respecting the Order of Genl. Patterson in favor of Capt. Sullivan—if Capt. Sullivan can inform you what Month the Abstract was drawn for that the seventy two pounds was to be deducted from I think I may be enabled to trace the affair. I do not find that Capt. Sullivan reced. the Money."

Samuel Hardy to William Short

My dear Short.[1] New York 5th. April 1785.

By Colo Smith who is appointed Secretary of Legation to the Court of London I avail myself of an opportunity of writing.

You will I doubt not before this reaches you, have heard of the adjournment of Congress to this place. This event took place under an Ordinance pass'd the 24th of Decbr at Trenton, which fixed the erection of a fœderal town on the banks of the Dellaware & the temporary residence of Congress in the intermediate time in this City. From your knowledge of the views of Virginia respecting a Communication between the Potowmack & the Western Waters, you will readily conceive that the building a fœderal town on the banks of the Dellaware was not a very palatable Measure to her. It is one to which she is very far from being reconciled, & the uniform opposition which it consequently meets with from her Delegation & that of Maryland will I think ultimately defeat the Ordinances.

The opening a land Office for the sale of Western territory to enable us to do justice to the public Creditors & retrieve in some degree the public Credit is at this time one of the principal Objects under the Consideration of Congress. No plan is yet absolutely agreed on & it is difficult to conjecture what it will be.

But you are on a Theatre where Objects present themselves so much more important than the opening a land office, or the erection of an hotelle or two on the banks of the Dellaware; that you will think the information insipid & pronounce perhaps that the Mind must be limited indeed to be engrossed by such trifles. Trifles indeed they appear to be, when compared with the armies of sixty, & a hundred thousand Men which we are told are on foot in different parts of Europe. Is it possible that such preparations for War should terminate in nothing? Is it possible that the Emperor of Germany who has the rep-

utation of possessing talents much above the common level should have set up a claim, and after having advanced as far as he has in support of it, should recede without fighting?

Having left Virginia only a few Weeks after you I can give you no particular information of your friends there. I saw your Brother several times after your departure; he is a Candidate for the County of Surry & it was then supposed would be succesful.

The Assembly of Virginia at their last session pass'd a law for instituting Assize Courts. Its operation commences in April 1786. I need not tell you that it is a law which affords me considerable pleasure.

Present my compliments to Mr Jefferson & believe me to be with every sentiment of regard, Your sincere friend & humble servant

S. Hardy[2]

RC (PHi: Dreer Members of Congress Collection).

[1] Short was Thomas Jefferson's personal secretary in Paris, for which see Jefferson to Short, April 30 and May 7, 1784.

[2] Hardy left New York for Virginia the following day or day after, not returning until mid-June. See *JCC*, 28:235, 460; and Hardy to Short, June 14, note 1. En route he wrote to Charles Thomson from Trenton on April 9 strongly recommending the appointment of "Doctr. Armstrong" as a chaplain to Congress. Armstrong, who had saved Hardy from drowning when his stage overturned, had apparently been nominated to the position by John Beatty on March 28 along with Dr. John Rodgers, nominated by Samuel Holten. Rodgers was elected chaplain on August 5. Armstrong may have been the Rev. James Francis Armstrong who had been chaplain to the Maryland 2nd Brigade, 1778–81. See *JCC*, 11:698, 21:997–98, 25:786, 28:185, 29:613, 619n; and PCC, item 149, 3:487–90, item 190, fol. 2. Hardy's letter to Thomson is in the Gratz Collection, PHi.

Charles Thomson's Memorandum Book

[April 5–29, 1785]

April 5th. Sent to the Commissioner for settling Accots. in Marine Departt. Petitions of Daniel Leary & Capt. Seth Harding referred to him to report.[1]

Deliver'd Col. W. Smith a Copy of resolution of 4th Inst. for advancing him 2000 dollars on Account of Salary with Presidents Warrant subjoined.[2]

Deliver'd Samuel Frauncis Copy of resolution 4th Inst. relative to a Lease of his House & an advance of Cash.[3]

Deliver'd Mr Denning Commiss. for settling Accounts of Quarter Master's Dept. resolution relative to Accounts of Giles Wolcott's referred to him together with all the papers which came enclosed in Memorial.[4]

6th. Sent Mr Milligan Copies of the above resolutions of the 5th Inst.[5]

Pursuant to the resolution of Congress of the 22 March 1785 We the Underwritten Delegates for the states to our names severally annexed have recd. from the Secretary of Congress to be transmitted to

a college, University or public seminary of learning in our respective states a Set of the Works of Thomas Wilson, D D. and late Bishop of Soder and Man presented to Congress by his son Doct Wilson prebendary of Westminster.[6]

David Howell, State Rhode Island, &c.
Wm. Saml. Johnson, Connecticut.
Charles Pinckney, South Carolina.
John Sitgreaves, North Carolina
Richard Henry Lee, Virginia
John Beatty, State of New Jersey.
Gunning Bedford junr, Delaware.
Abiel Foster, New Hampshire.
John Lansing Junr, New York.
David Jackson, Pensylvania.
Rufus King, Massachusetts.
John Habersham, Georgia.

Sent Mr. Joseph Wright under cover of a Letter from the Secrey. of Congress Copy of resolution of 5th inst. granting him the sum of 233⅓ Dollars the amount of his Account for modeling and compleating a Bust of Genl Washington with the Presidents Warrant subjoined.[7]

8th. Sent Mr Milligan Copy of the Ordinance for regulating the Office of the Secretary of Congress—Passd March 31st. 1785.[8]

Letter—Pellon in behalf of Du tour stating debt due to him from the United States—with some Continental money reced April 8th. 1785 is loged in the Iron Chest.[9]

18th. Transmitted to the War Office a Letter 2d March 1785 from Col. J. Harmar enclosing Return of Troops at Fort McIntosh.[10]

19th. Transmitted to ditto Two Petitions of Job Whipple and [Josiah] Converse with Copy of an Order of Congress of yesterday referring them to the Secy at War &c.[11]

Transmitted to the Office of the Bd. of Treasury a Memorial of Udney Hay referred to s[ai]d Board to report.[12]

Ordered that the papers which were in the hands of the grand Committee for their information in making the requisition for the present year, be transmitted to the Board of Treasury.

20th. Agreeable to the above Order the said papers were transmitted and a receipt taken for such part of them as the said Board thought proper to detain.[13]

22. Transmitted to the Executives of the several States from Newhampshire to Georgia inclusive 2 Copies of the proceedings of Congress from the 1st February 1785 to the 7th April inclusive.[14]

Delivered the following Members each one Copy of the above, Viz Mr. Ellery, Mr. Cook, Mr. Johnson, Mr. Smith, Mr. McHenry, Mr. J Henry, Mr. Hindman, Mr. Williamson, Mr. Sitgreaves, Mr. Spaight, Mr. Monroe, Mr. Bedford, Mr. Gardner 2 Copies, Ditto 2 Copies Committee of the States.

Delivered to the board of Treasury 1 Copy of the above.

Delivered to the Secretary at War the Journals of Congress for 1783 & 1784.

Ditto Committee of the States and for the present year up to the 7th April.

Delivered to Mr. Pinckney 1 Copy of the proceedings of Congress up to the 7 April.

Delivered Mr. Wilson 1 sett as above.

Delivered Mr. Lawrence one sett of the Journals of Congress and Committee of the States.

Delivered to Mr. Jackson a Compleat Sett of the Journals 1777 & 1780 excepted.

25th. Delivered to Mr. Pinckney a Letter directed to Mrs. Timothy printer for the State of South Carolina—also one directed to Mr. Miller printer at Charleston, South Carolina, which he is to forward.[15]

27th. Transmitted to the Board of Treasury the petition of Duncan Campbell with its enclosures to be by them forward to the Commssr. of Army Accounts to report.[16]

29th. The Committee on the peti[ti]on of Decemr. 13th 1784 of Laurens Oliver with the papers which came enclosed was discharged the 28th Inst. by order of Congress—and the papers deliver'd him for which his receipt is taken and filed.[17]

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson, John Fisher, and Charles Thomson. A continuation of Thomson's Memorandum Book, March 1–31.

[1] These petitions from Dennis (not Daniel) Leary and Seth Harding are not in PCC, but for the April report of Joseph Pennell on them, which was read in Congress April 18, see PCC, item 31, fols. 109–11; and *JCC*, 28:232n, 276n, 279–80. For two other matters concerning Harding before Congress during this period, see also *JCC*, 28:154–55, 228–29, 238n, 243–44, 269.

[2] For the salary of William Stephens Smith, the new "Secretary to the legation to the court of Great Britain," see *JCC*, 28:227.

[3] Ibid., p. 228.

[4] Ibid., pp. 226–27.

[5] Actually, of the 4th Instant. Ibid.

[6] See *JCC*, 28:188. Publication of the theological writings of Bishop Thomas Wilson (1663–1755), arranged by his son Thomas Wilson (1703–1784) the prebendary, had been a project of many years, and a second edition of the work had appeared in 1782 which the latter arranged for distribution in America soon after. Wilson had had one set sent directly to the College of William and Mary, which was acknowledged in July 1783, and it is believed that the sets now distributed by Congress had also been received early that year. Their fate the following two years is not known, but it seems to be no coincidence that Congress adopted this resolution for distributing the volumes to the states the day after thanking Danish authorities for their offer to arrange "episcopal Ordination" for American priests by Danish bishops to avoid taking an oath of allegiance to the Church of England, for which see Rufus King to Elbridge Gerry, March 21 (1st letter), note 2.

This paragraph is in the hand of David Howell, who was the author of the March 22 resolution authorizing the distribution of Wilson's works. The list of signatures which follows includes the names of three delegates not in attendance at this time (John Habersham, David Jackson, and John Lansing), indicating that the distribution of the

volumes was actually carried out over a period of several weeks. For an account of the entire episode, somewhat exaggerating the significance of Congress' adoption of this innocuous resolution, see Sarah Jordan Miller, "A Distribution of Books by the Continental Congress; The Nation's Earliest Legislation Addressed to Libraries," *The Journal of Library History* 22 (Summer 1987): 294–311.

[7] *JCC*, 28:238. For Congress' authorization of Wright's work, see these *Letters*, 20:602.

[8] *JCC*, 28:212–14.

[9] Dr. Joseph Boyer Pellon's April 8 letter in behalf of Pierre Dutour's claim (6,497 livres Tournois) for subsisting Continental troops at Chambly in 1775–76 is in PCC, item 78, 8:113–14. An August 25, 1785, letter to Congress from Pierre Ayott on behalf of Dutour is in item 42, 1:63–66. *JCC*, 28:242n, 29:657n.

[10] No March communications to Congress from Lt. Col. Josiah Harmar are in PCC, but for four such letters and returns from the period December 5, 1784, to May 1, 1785, see PCC, item 163, fols. 389–412, 431.

[11] These petitions are not in PCC, but for their disposition see *JCC*, 28:157n, 276; and Samuel Holten to Converse and Whipple, December 29, 1784.

[12] Ibid., p. 284n.

[13] A receipt for the following documents "from the Secretary's Office April 20th 1785," in the hand of John Fisher and signed by Samuel Osgood, is in the Peter Force Miscellany, DLC.

"Robert Morris to Messrs. Willem & Jan Willink &ca, 22d Augt. 84, No. 1
Do to Do 4th October, No. 2
Do to Do 1st October, No. 3.
Do to Do 30th Sept., No. 4
Do to Do 14th Octr., No. 5
Do. to Dr. Franklin, 30th Sept. 84, No. 6.
Do to Mr. Grand, Paris, 4th Oct. 84, No. 7.
Do to Do 4th Octr. —, No. 8.
Do to LeCoulleux & Co. 30th Sept., No. 9
Do to Grand Comme. 23d Feby., No. 10.
List of Orders on Several Receiver[s] favor of Quarter Master General.
Robert Morris Ltr to Grand Co[mmitte]e, 25th Feby.—
Robert Morris — — — 19th Feby.—
Mr. Marbois — — — 15th Augt. 1784.
Letter of Supt. Finance to Congress, 17th Augt.—
Michael Hillegas Acct. — — 23d Feby. 1785.
From the Compt[r]oller to D. Howell Esq. 18th Decr. 1784
Messrs. Willinks Acct. Rend. 30th Sept. 1784.
Mr. Gojard's Letter 22d July 1784.
Mr. Le Grand 20th Octr. 1784.
General Accounts of Receipts and Expenditures, No. 1 @ 12.
Estimate of Arrearages from Registers Office dated 9th Decr. 1786,
Signd. Joseph Hardy.
Estimate of the Foreign & Domestic Debt.
Statement of the Times of the Payment of Principal and Int. of the Loans in France.
Return of the present Civil List.
Estimate of the Foreign & Domestic Debt signed J. Hardy 9th December 1784.
List of Pensions, Annuities & Grants."

[14] For this printing of the journals, see Thomson's Memorandum Book, March 1–31, note 27.

[15] When the South Carolina delegates were originally asked to designate a printer who could regularly supply a South Carolina newspaper for the use of Congress, they had named the state printer John Miller, publisher of the *South Carolina Gazette*. Subsequently, however, they had learned that Anne Timothy, publisher of the *Gazette of the State of South Carolina*, had been named the state's printer, and these two letters were doubtlessly written to cancel a subscription from the former and to order one from the

latter. No other references to letters to Miller and Timothy have been found, but for the context of this issue see Thomson to the Delegates, March 1; and South Carolina Delegates to Thomson, April 14.

[16] For the disposition of Campbell's petition to Congress, see *JCC*, 28:66n, 187n.2, 245n.2, 305, 29:691n; and PCC, item 42, 2:247–66.

[17] For Oliver's December 8 (not 13th) petition concerning his services with Moses Hazen's Canadian regiment, see *JCC*, 27:685n, 28:17n, 131n, 317n; and PCC, item 35, fols. 135–42. For related aspects of this issue, see *JCC*, 28:324, 433. His "filed" receipt is in the Miscellaneous Papers of the Continental Congress, reel 9, fol. 136.

Charles Thomson to Hannah Thomson

Dear Hannah Wednesday Morning April 6, 1785.

In the postscript to my last I acknowledged the receipt of your two letters N 17 & 18. As soon as I had sealed my letter I sent Thomas with it to the post office. On his return he called and examined the kitchen. He says it is a very fine kitchen. There is a crane which belongs to the house and a smoke jack, But was told the chain of the jack belongs to the family. He repeated over & over, it is a *fine* kitchen & has a *fine* prospect into the garden and as Thomas from his profession is or ought to be a good judge of a kitchen I am inclined to think it is convenient.

By what I learn the charter is not yet taken from the bank, but that the committee, who were appointed by the assembly to examine it, have reported unfavourably and that leave is given to bring in a bill for repealing the law that incorporated it. However I have no doubt they will carry their point. I am told the principles of the report are alarming & strike at all property. I have not seen it and therefore can say nothing of it. The state is . . . The minds of the people are not settled down to their condition. Those that have suddenly got wealth or power are grasping at more. Those that have neither are pressing for them not by virtue & the fair deeds and honest paths of industry and frugality, but by knavery and tricking. So that till some have their deserts and others are reduced to their former insignificancy I expect little else but confusion.

Hazard the postmaster genl has in consequence of the order of C come here and has been trying to get a house. He meets with difficulty & wishes to have leave to reside in Philada at least for some time. Whether he will get leave or not I cannot tell.[1] I wonder what Hillegas will do.[2] His salary will not support him here and he will not like to quit his office. I have not heard a word of him. I had a letter from Milligan[3] wherein he says it was the opinion of some that C wants only the papers in the Offices, but not the Officers & wishes to know if that was the case. I told him, the very suspicion was dishonorable and advised him to come forward and bring the papers with him.

You see by the tenor of this letter I write just for the pleasure of writing to you. The ancients had the advantage of us in point of conciseness. When Cicero who wrote almost as often to his Terentia as I do to my dear Hannah had nothing particular to say, he used to make his whole letter consists of these few words. Si vales bene est et ego valeo. Vale. That is, I say you are well, that is well, I am well, farewell. You remember our good friend S. Emlin's sermon when he quoted a scrap of latin and desired the women to apply to their husbands for an explanation of it. As you have not the opportunity just now of making an immediate application to yours, though I hope you soon will, I have sent the translation of mine and conclude in the true Ciceronean stile with most earnest entreaties to take care of your health.

I am, Dear Hannah, with sincere affection, Your loving husband,
Chas Thomson.

MS not found; reprinted from *PMHB*, 25 (1901): 430–31.

[1] By resolve of February 7 the postmaster general, Ebenezer Hazard, had been directed to move the post office from Philadelphia to New York by March 21. An April 4 letter from Hazard requesting "leave to reside in Philada." was taken up by the committee of the week on April 8 and referred to the post office committee on April 11, but the request was apparently ignored or rejected. Hazard's letter is not in the PCC, but see *JCC*, 28:45, 246n; and PCC, item 190, fol. 30.

[2] That is, Michael Hillegas, the Continental treasurer. Just as the post office had been ordered to New York by March 21, the officers of the treasury department had been directed to remove to New York "on or before the first of May." *JCC*, 28:45.

[3] James Milligan, Continental comptroller.

Richard Henry Lee to Samuel Adams

New York April the 7th 1785

My much valued friends letter of March the 24th[1] was this day delivered to me, but not by Mr. Kirkland or Colo. Allan, it came from our Door-keeper who told me that it had been picked up on Long Island. I received it however, with that true content that your letters always bring with them. You have certainly done me justice when you have taken me for an *Unchanging Friend*. I endeavor not to take up friendships lightly, and therefore I am not capable of lightly laying them down. But in this case, I am much too sensible of the honor done me by your friendship not to wish most sincerely for its continuance. And the true reason for want of punctuality in writing, I assigned to you in my letter of March 14th last. The reasons there assigned will, I hope, secure for me your pardon for having employed an Amanuensis (my Nephew Shippen) upon that letter.

Your recommendation of Messrs. Kirkland & Allan are very sufficient to procure for them my utmost favor.[2] Here you observe that I

have personal knowledge of the deserts recommended. I have, but it was not necessary when I reflected who it was that recommended.

I hope that we have gained your approbation by sending our Patriot friend Mr. J. Adams Minister to London. I hope also for good things from that Mission. Spain seems mal-affected to us, but as she has a commencing dispute with Great Britain about the Musquetto shore, perhaps we may find in her Minister, expected here this month, a more accommodating spirit concerning the Mississippi than has yet appeared. I am, with sincerest sentiments of esteem, My dear Sir your affectionate friend, Richard Henry Lee

[*P.S.*] My best wishes attend Mrs. Adams.

RC (NN: Samuel Adams Papers).

[1] See Adams, *Writings* (Cushing), 4:312–14.

[2] Adams had appealed to Lee's "Sense of Justice" in advancing the Rev. Samuel Kirkland's claims for compensation for his services in ministering to and maintaining the neutrality of the Six Nations during the war and John Allan's bid for reimbursement for his services as superintendent of Indian affairs in the Eastern department. Kirkland's April 6 memorial was referred on the 20th to a committee consisting of David Howell, Samuel Holten, and William Samuel Johnson whose April 25 report was read the following day but not addressed until June 1 when Congress awarded Kirkland pay, subsistence, and expenses for his services from 1779 to the present, but denied the committee's recommendation that he be appointed chaplain to the U.S. troops to be stationed at the western posts so that he could "continue his services among the Indians of the six nations and endeavour to preserve their attachment to the interests of the U. States." See *JCC*, 28:285n.2, 297n.1, 306–7, 407–8. John Allan's April 20 petition was referred the following day to the board of treasury which reported June 6. The board denied Allan's claim for the emoluments of a military officer since his commission was purely a civil one, but recommended that he be paid $3,494 for his services to June 4, 1783, and $870 45/90 for his final months of service until he learned of his dismissal. Congress approved his salary for the final months on June 13 but delayed approval of his salary to 1783 until September 29 when it was charged to the requisition for 1784. See *JCC*, 28:287n, 431–32, 456, 467n, 29:780.

Charles Thomson to Joseph Wright

Sir, New York April 7th. 1785

I have the pleasure to enclose a Warrant on the Treasurer in your favour for the sum of 233⅓ Dollars being the amount of your charge for modeling and compleating the bust of Genl. Washington.[1]

As Congress have been pleased to order the Bust to be brought to this place, I have to request the favour of you agreeable to your obliging offer to see it safely and carefully packed up and deliver it to Mr. James Milligan the Comptroller, with my request that he will please to take charge of it and bring it forward with the treasury papers.

Your care in this matter will confer a fresh Obligation on, Sir, Your most Obedient & Most humble servant, C.T.

LB (DNA: PCC, item 18A).

[1] See *JCC*, 28:238; and these *Letters*, 20:602.

Rufus King to John Jay

Sir, New York Apr. 8th. 1785

I do myself the honor to inclose for your examination sundry papers, relative to the consular appointment of Mr. R. Sodrestrom;[1] If they throw any additional Light upon the subject, my purpose is answered.

I have the honor to be with great consideration your Obt. Servt.

R King

RC (DNA: PCC, item 78).

[1] King's enclosures included letters from Richard Soderstrom to Oliver Smith and Benjamin Hichborn of March 19 and their reply, and from William Tudor to King of March 22; a March 21 statement by Soderstrom on his "Bill Transaction" with Messrs. Sears & Smith in New York; and Soderstrom's brief narrative of his attempts to secure acceptance of his credentials as Swedish consul at Boston. See PCC, item 120, 1:191–97; and *Diplomatic Correspondence, 1783–89*, 3:799–802. See also Charles Thomson to Jay, March 2, note 1.

Another document "relative to" Soderstrom's case, an April 7 letter to King from Edward Robbins at Boston expressing complete confidence in Soderstrom's honorable conduct, is in PCC, item 41, 5:377–82.

Robert R. Livingston to James Duane

Dr Sir 8th Apl 1785

I enclose a copy of the Letter to Mr. Wythe signed by the Gent of Masechuesets.[1] I waited upon you with it, & must now consign it to your care to get signed & forwarded. I should think the best way of sending it will be by some person who will travel with the stage. So much time has already been lost that I hope it may go without delay. I have not heard whether you have sent any person to search the records at Boston, it is certainly not prudent that this should be delayed so long after informing our antagonists that we intended it. I also inclose the draft of this Letter and have promised Mr King that he shall be furnished with a copy. I shall leave town on Monday & am sorry to go without a brief. Coll Smith goes in a few days. I hope he has his instructions & credits. These Mr. Benson & you undertook if I mistake not to furnish.[2]

I am Dr Sir, With respect &c., Your Most Obt Hum. Servt,

R R Livingston

RC (NHi: Duane Papers).

[1] See Massachusetts and New York Agents to George Wythe, April 9.

[2] In his reply to Livingston of this date, Duane wrote: "You mistook in supposing that the Instructions for obtaining papers from England were to be prepared by Mr Benson & myself. Col. Wilson promised to examine his Brief and note down such Hints as he thought necessary. I then concluded the Agents woud have met, and adding such Materials as they thought useful, woud have perfected them. Mr Benson engaged indeed to get us a Credit in England but failed." Ibid.

Walter Livingston to Richard Henry Lee

Sir, New York April 8. 1785

I learn with pleasure that Mr. Osgood has accepted of the appointment of one of the Commissioners of the Board of Treasury.[1]

The confidence I have in this Gentlemans Character has determined me to add my best endeavours in rendering every service to the Public, in the arduous Department, to which the Suffrages of the United States have been pleased to call me, which the present state of the Revenue will admit of.

Your Excellency will therefore be pleased to Signify to Congress for my acceptance of the Honorable Trust reposed in me, and to assure them that I enter into the Execution of the Office, with a diffidence which nothing can alleviate but a well grounded hope that the Members of Congress will give every support to the Department, which its present Situation, and general importance claims: and that they will use their influence with their Respective States, on whose exertions all must ultimately depend, to comply chearfully and without delay with such requisitions as the United States shall judge necessary.

I have the honor to be, Your Excell's Most Huml Servt

Walter Livingston

RC (DNA: PCC, item 78).

[1] See Rufus King to Elbridge Gerry, March 20, note 4.

Charles Thomson to George Goodwin and Barzillai Hudson

Gentlemen, Secretary's Office April 8th. 1785.

The Delegates for the State of Connecticut having been pleased to supersede the recommendation of which I notified you in my Letter of the 3d March, it is become my duty to countermand the request

contained in my said Letter,[1] and to desire you not to send forward any more papers, after the receipt of this. You will please to send me Your Account for the papers furnished that steps may be taken for the payment thereof.

With due respect I am, Gentlemen, Your's &c C.T.

LB (DNA: PCC, item 18A). Addressed: "Messrs. Hudson & Goodwin." Endorsed: "A Copy of the Letter of 3d March sent to Messrs. Meigs, Bowen & Dana printers in New Haven."

[1] For Thomson's subscription to Hudson & Goodwin's *Connecticut Courant and Hartford Weekly Intelligencer,* pursuant to Congress' order to be supplied regularly with a newspaper from each state, see Thomson to the Delegates, March 1, note 2, and to Sundry Printers, March 3, note 2. Joseph P. Cooke's and William Samuel Johnson's April 7 letter requesting that Thomson subscribe to the *New-Haven Gazette* published by Josiah Meigs, Daniel Bowen, and Eleutheros Dana instead of the *Connecticut Courant* is in PCC, item 59, 1:173.

Massachusetts and New York Agents to George Wythe

Sir New York 9th April 1785

The agents of M. & NY having agreed on their Judges in the controversy between them, referred the determination of the place where the court shd. be holden to Congress to be made in the mode pointed out in the Agreement of the Agents submitted to Congress; Conformably to this reference Williamsburgh has been fixed on by Congress.[1]

The distance of this place from the Offices to which it may be convenient to have an expeditious recourse in the progress of the trial, are objections against it that may induce delay and expence—and to remove these objections the undersigned who are joined in the Agency of the two contending states would consent to a Change of the Place for a more northerly one provided your public engagements & private concerns would permit your attendance—determining however rather to go to Wms. than not to number you among these Judges.

Under these impressions, we request that you will please to inform them by the return of the bearer, whether you could attend at N. Port in Rhd. Isd., Hartford in Conecticut, Trenton in Jersey, or Wilmington in Delaware, any of which places wd. be agreeable to the Agents, and if at any, at which, of them.[2]

We find it impracticable so far to agree in the principles on which the Controversy between the states will be determined as to join in the

state of the Dispute, which you desire—but hope nevertheless they will be sufficiently obvious on the trial to authorise a decision at the Time.

With the highest consideration, we have the honor to be Your obedient servants,

Jas. Duane
Robt. R. Livingston
John Jay
} Agents for the State of New York

S. Holton
Rufus King
} two of the Agents of Massachusetts

FC (NHi: Duane Papers). Drafted by Rufus King; place and dateline and close and signatures added by James Duane. Endorsed by Robert R. Livingston: "Dr of Letter to Mr Wythe. Agd upon & signed."

[1] For the selection of Williamsburg as the site for convening a court for determining the western land dispute between Massachusetts and New York, see New York Agents' Journal, December 4–9, note 7. New York's January 26 protest of the selection of Williamsburg had greatly complicated the process of obtaining judges to serve on the court, and the agents of the two states were engaged in a compromise effort to determine if other sites might be agreeable to the judges who had already accepted appointment. As Wythe was the southernmost of these, and had already signified that his acceptance was conditional upon the court's convening at Williamsburg, the location of his residence, the success of any effort depended upon first obtaining Wythe's consent to a change of site.

An earlier undated draft of this letter, which is also in the Duane Papers at NHi, is suggestive of some of the differences which separated Massachusetts and New York on this issue and the limits of the compromises available. In the hand of King, and endorsed by Robert R. Livingston "Proposed Dr of Letter to Mr Wythe," it reads:

"Altho the agents on the Part of Massachusetts and New York had proceeded with great Harmony in the nomination of their Judges, and other Matters relative to the Controversy between them; yet not being able to agree in the Place for holding the Court, they referred it to the Majority of the States then in Congress, who were pleased to name Williamsburgh.

"The great uneasiness which that Circumstance has occasioned to the Agents and Legislature of New York, and the friendly Desire on the part of Massachusetts to promote concord and good will between the two States, have produced an agreement between us to write a joint Letter to you, and to request the favor of you to attend at Wilmington in the State of Delaware.

"We forbear Sir to enter into a particular Enumeration of the objections made to Williamsburgh—as they arise merely from its Situation, and Distance from the Residence of the other Judges and the Parties they need not be particularized.

"Both Parties Sir will esteem themselves obliged by your consenting to come to Wilmington. If however you should be so circumstanced as not to be able to comply with this Request, we will then without further delay endeavour to convene and hold the Court at Williamsburgh."

[2] Wythe's April 23 response to this letter is in the Duane Papers, NHi. "I am obliged to reject all the four places proposed," he apologized, explaining that his affairs required that he remain in Williamsburg and suggesting that if his previous acceptance of the appointment was causing difficulties another judge should be appointed in his stead. That New York had already agreed to accept the Williamsburg site if Wythe rejected those proposed here is clear from Rufus King's letter to John Lowell of April 14.

Samuel Holten to Samuel Adams

Dear Sir New York, 11th. April, 1785.

I have been honored with your address to myself & colleague.

Having been upon the committee, respecting the late treaty with the Indians, I had conceived a favorable opinion of Mr. Kirkland, in addition to some acquaintance I have had with him for several years; & I am more happy to find that your sentiments in his favor are so agreeable to my own.[1]

It will give me pleasure to assist Colo. Allan, & additionally so as he comes noticed by you.

I will attend to General Putnams letter, & if he has made a mistake, I shall be sorry it was not rectified before it came here.

Congress are generally imbarrassed, by daily demands upon them; & how we are to support the public credit, is a matter that requires great consideration: under these circumstances, I can't but say, it would have been as agreeable to me, if we had not received the instruction from the honorable Court respecting the proposed fœderal buildings,[2] which must require an additional requisition from the states, if the resolutions respecting them, are to be carried immediately into effect.

A large western country now considered to be within the line of the U.S. & not within the boundaries of any one state, has taken up considerable time in Congress & is likely to take up much more; however, I am of opinion, that if it is managed well the sale of the lands will pay a considerable part of our national debt, but it will take up much time before it can be done; & the public creditors press so hard, there is not much pleasure in being a member of Congress, unless a man can bear duning very well.

The late Financier has informed Congress, that he has caused his accounts while in office to be printed and bound, & that 500 copies are nearly compleated, however, I think they ought to be approv'd by Congress, before the good people, consider them as the state of their finances.[3]

I wish you very happy, & have the honor to be, with perfect consideration & respect, your friend & humble servant, S. Holten

RC (NN: Adams Papers).

[1] For Samuel Kirkland's petition to Congress, see Richard Henry Lee to Adams, April 7, note 2; and William Samuel Johnson to Roger Sherman, April 20, note 9.

[2] See Rufus King to Elbridge Gerry, March 24, note 3.

[3] For Robert Morris' publication of these accounts, see *A Statement of the Accounts of the United States of America, During the Administration of the Superintendant of Finance* ... (Philadelphia: Robert Aitken, 1785). Evans, *Am. Bibliography*, no. 19,333. For the committee report read in Congress this day concerning them, and the resolution

adopted June 20 authorizing the appointment of commissioners "to examine and adjust the accounts," see *JCC*, 28:244–45, 468.

David Howell to Nicholas Brown

Dear Sir, New York April 11, 1785

I have only time by this post to acknowledge the rect of your very friendly Letter of 26 Ult. & to enclose you a small continuation of our Journal, which you will let circulate among our friends.

It is not in my power to give you any information you are not possessed of relative to the value of final Settlement notes. They will, no doubt, be made receiveable at par with all other securities for liquidated debts, in the Congressional Land-office. As it is proposed to make the interest certificates receiveable in any other State as well as that in which they may have issued this may also tend to put them at par. Measures will also be taken to prevent frauds.

I shall duly notice & profit by the variety of important hints in your Letter & not fail to give you any information as it may be in my power relative thereto.

I must beg you to present my best regards to all my friends & to assure them that their good *intentions*, mentioned to me in your Letter, lay me under greater obligations, if possible, to continue as heretofore *their* & *your* sincere friend & most obedt hble Servt,

David Howell[1]

RC (RPJCB: Brown Papers).

[1] Howell also wrote the following brief letter to Brown on April 21.

"I have only time to enclose you the continuation of our journals down to the 7th Instant. Congress are busily employed in preparing an Ordinance for disposing of their Lands & in digesting the report of the Grand Comee for the requisition of the year 1785.

"You will perhaps not hear from me very frequently before I return, as I never was more engaged in business." Ibid.

Rufus King to Elbridge Gerry

My Dear Sir New York 11th. Apr. [17]85.

I thank you for your repeted favors since leaving us,[1] they have satisfied curiosity and given instruction. Congress proceed with great harmony and moderation, the Report for 1500 Men by way of requisition has been changed to a recommendation to the four States that raised 700 militia last year to raise 700 Men to serve for three years unless sooner discharged.[2] A little firmness, and a great deal said, about can-

dor, and harmony brought the measure to adoption without much difficulty. A new ordinance has past, upon the report you must have with you, regulating the duties of the secretary of Congress—and I am preparing to introduce our instruction for the annual Appointment of the Secretary. The measure is right, but I think will not be carried. Osgood has been here two or three days, and Livingston and he will proceed in the business of the Treasury without Delay. Gervais has declined; Tittolson[3] who married a Sister of the Chancellor, Mr. Ths. Johnson of Maryld., A Lee of Virg. and Mr. of S. Caro. are in nomination to supply the vacancy. Who will be appointed I know not. Johnson will be, if he will accept. You say "my Colleagues of the law were rather opposed to my election"—do you mean Lowell, Sullivan & Parsons, or generally those who were in the house of Reps? if the former I shall not think of serving with them; as God knows I am unambitious on the subject as I have a strong presentiment that the issue will not be a foundation, on which great reputation will be raised. Our family wish you with us—and the approach of Spring begins to give a more inviting prospect—pray when will you be here?

The post is irregular I must close, Yours, RK

[*P.S.*] I enclose you barren papers.

RC (NHi: King Collection).

[1] Letters from Gerry to King of March 14, 21, 28, 28, and April 7 are in King, *Correspondence* (King), 1:73–78, 81–84, 86–87.

[2] See Charles Thomson to Certain States, April 12.

[3] Actually Thomas Tillotson. See *JCC*, 28:232n.

James Monroe to Thomas Jefferson

Dear Sir New York April 12th 1785

Since my last I have recd. yours of the 11th of Novr. & 10th of Decr.[1] the former by Col. LeMaire, from whom however I did not receive it altho' I saw him, nor untill after his arrival nearly a month & then I believe by post from Phila. I have had the same difficulty with the cypher but from a different cause. The copy of that I sent by Mr. Short I left in Virga. when I sat out for the westwd. & have not since been able to command it, but shall most probably by the next post, so that whether you send me one or not our embarrassment will in future be at an end. That you may read my first letter I send you the cypher by which it was wrote.[2] Fully impress'd with the disadvantages which must always arise to the States from a free intercourse with Canada I propos'd an instruction founded on the principles which my letter contains,[3] to the ministers authoriz'd to form the treaty with GB: the committee have reported in favor of it, but the delicacy of our situation

with that court, upon *that* of the posts & other subjects, is a consideration wh. inclines me to decline for the present bringing it to the view of Congress. The restrictions on this intercourse can only be carried into effect by possession of the posts and the more disadvantageous to them their surrender will be, the longer they may delay it.

I enclose you the report of a committee in favor of a change of the first paragraph of the 9th of the articles of confideration for the purpose of investing Congress with almost the entire regulation of the commerce of the Union, in exclusion of the particular States.[4] I am inclin'd to think it will be best also to postpone this for the present. Its adoption must depend on the several Legislatures and to carry it with them the preferable way perhaps may be to let it stand as it now is. It hath been brought so far without a prejudice agst it. If carried farther here prejudices will take place, at least I fear so, & those who oppose it here will in their St[ates]. The way then will be to present it to them in its present state, wh. may be effected by obtaining the permission of Congress for each delegation to take copies for that purpose. If this shod. be its course I shall have time for your answer & opinion on it. A committee is appointed to revise and report what alterations if any are necessary in the instructions to the comrs. authoriz'd to form commercl. treaties.[5] What will be the result I know not, but the object of the appointmt. was, to change the principle upon wh. those existing were form'd. To instruct them to make the best bargain they can with each power, such an one as the advantages wh. they respectively derive from a commercl. intercourse with us, intitle us to expect. If the convenience & advantage of the trade of either of these powers with us is equal, the condition upon wh. it is conducted for commercl. & other national purposes, shod. be equal also. The object is to connect us [to] each power independently of other powers, & to extricate us from the complicated system with which their connections with each other is involv'd, a system which they well understand, have been long accustom'd to the exercise of, & to turn to their particular advantages by every possible means of fraud and chicane. I doubt much the advantage of forming treaties for the present with any of the powers with whom you are authoriz'd to treat (the piratical States excepted), for what advantages can we give here in consideration of advantages there, or rather in consideration that they remove some of the restraints wh. now exist, which they do not at present possess, or possessing that we can deprive them of. The more I investigate this subject the more I am confirm'd in this opinion. But all these embarrassments in the restrictions laid upon us by other powers, will I am persuaded have a good effect. They will operate more powerfully than the utmost force of argument cod. do for the strength'ning our govt.

From Spain we expect a Mr. Gardoqui in quality of chargé des affrs. All our measures with that court have of course ceasd untill his arrival

wh. is weekly expected. Whatever we leave to transact with the ct. of G.B. is committed to Mr. Adams, the formation of a commercl. treaty only excepted. Upon his removal from the Hague it was resolv'd to appoint a minister in his room: Mr Rutledge & Mr. R. H. Harrison, C. Justice of Maryld. are in nomination as is likewise Govr. Livingston of Jersey; it is not known whether either will serve.[6] My first letter will advise you of our embarrassment respecting a particular affr. upon which you wrote me as you left Phila., an attention to which falls now within your province. It is unfortunate upon this acct. your cypher wod. not expose it to you. You will please write me as soon as possible upon this subject.[7] You will receive instructions respecting the piratical states of Barbary.[8] I fear from the information you give me they will not obtain fully the objects which they have in view. From what I have been able to collect here a treaty commencd on our own ground independent of any European power, will be most successful, since I am told they disregard the most powerful among them as much as they do us, & in that instance we might plead ignorance of the presents or amount, which would be acceptable to them. It is agreed to raise 700 men for the purposes of guarding the publick stores & giving security to the frontier settlements of the States. At Annapolis Mr Gerry protested agnst. the right of Congress to *require* men in time of peace; his conduct was approv'd by his State & the delegation instructed to oppose & protest upon all occasions agnst. the exercise of the power. It is agreed that by requisition men cannot be rais'd upon a few States or less than the whole but under particular circumstances of some, & then under a particular modification. It was thought in this instance necessary to have them in the field, in a short time, to protect the surveyors of the land & as this consideration superseded the propriety of a requisitn. on the whole it was agreed to recommend it to the States, most contiguous, to raise them.[9]

The land office is not yet open'd. A report drawn principally by Colo. Grayson will be deliver'd in in a few days. It devia[tes] I believe essentially from the one at Annapolis, but in what points I cannot say as I have not compar'd them together. The object of this is to have the lands survey'd previous to the sale, & after the survey to have the lots drawn for in the right of the States & sold in each by the Loan officer at publick vendue for specie or certificates.[10] I shall transmit you the journals of Congress as far as they are printed. They will give you at least the resolutions which determine the erection of buildings at the falls of the Delaware & our intermediate residence here. Our dependence for their erection at Georgeton had been on the southern States & as soon as Congress conven'd we found they had given it up. All further opposition we therefore considerd as useless One hundred thousand dolrs. are appropriated to it. Between Phila. & this place we were indifferent as a temporary residence; we consider'd our

State as no otherwise interested than as it might respect the delegates attending in Congress; upon fœderal principles that this shod. have the preference. It must have a good appearance for the fœderal govt. to pay attention to the part, wh. hath suffer'd most, from the depredations of the war; add to this the province of Canada in possession at present of the fur-trade—the first exertion of the States must be to draw it thence & afterwards it may take its direction thro' the Potowmk. or whatever channel is open'd to it. But the 100,000 dolrs are upon no fund. Whether they are to be requir'd from the States or not will become the question. It wod. be fortunate if a delay cod. take place. The conduct of our delegation at Trenton was founded upon an acqu[i]essence with the voice of the majority of the Union. We acted together & voted unanimously upon every point respecting these measures. Grayson only was absent. Be the event of this town as it may I think the proportion wh. will fall to our State will be well dispos'd of if [it] annexes the Idea of stability to our councils & measures. I cod. wish no more movements untill we take our final position.

I send you this by Colo. Smith Secry. to the legation for London. Mr Trumbull only was his competitor. He was formerly an aid de camp to Genl. Washington. He is desirous of being known to you & as I hear from every person who knows him a fair & respectable character, I take the liberty to present these circumstances in his favor to your knowledge.

Be assurd I shall pay particular attention to that circumstance which is more personally interesting to yr. self mention'd in your first letter. What can or will be done is incertain but satisfied of the justice of the measure, I shall with the utmost pleasure seek the attainment of it in a manner wh. will be most delicate & honorable to you. Indeed I think all our ministers shod. have at least 5 or 600£ stirg. more annually. I thank you for subscribing for me for the Encyclopedia. I have not at present the money but will send it as soon as possible. I sincerly wish it were in my power to join you this summer but it is impossible. The next I have it in contemplation & shall then be under no necessity to hurry myself so quickly back, & I cod. wish to rem[ai]n in Europe if I ever visit at least 12 months. Colo. Smith hath my instructions not to send this by post but some safe hand provided he doth not deliver it himself. Whether Congress will or not adjourn during the summer is incertain. I think they shod. not, but the fact is our application to business hath been so close during the winter that we wish a relaxation. I think Congress shod. sit untill our affrs. with every for. power were finally & most amicably settld; and untill the commerce of the Union was properly regulated. The Confidracy might then stand secure & not be expos'd to injury or danger. Mr. Butler, Walcot & A Lee were on the Indian treaty at fort Stanwix; the State of N. York also held a treaty. They quarrell'd with the comrs. of N. York & disgusted

the State. This is attributed to one of those gentn. only. Mr. Mercer hath been absent since we left Trenton & hath married Miss Sprigg. Mr. Read hath been less active than at Annapolis—he is sd. to be engag'd to K. Van horne of this place. He left this for So. Carolina 2 months since, it is sd. to prepare matters for this event. A Mr. Carbonneau from the Kaskaskias petition'd Congress to take the people under their protection; a committee hath reported wh. is so far adopted that a comr. be appointed to repair thither instructed &ca. Mr A Lee is in nomination.[11] The three comrs. of the treasury elected at Annapolis declin'd serving, in consequence of wh. Gervais, Osgood & a Walter Livingston were elected. Gervais hath declin'd & Mr. A Lee who hath upon every occasion been a candidate is agn. in nomination. Mercer & himself were in nomination at Trenton & we gave the former the preference. The fact is we can get none better than Mr. A. L. & shall upon this occasion vote for him.[12]

Your letters still contain doubts of the event of the interfering claims between the Emperor & the Netherlands. Mr. V. Berkel hath presented a full & able statment of those of the U. Net. & of the progress of either party to the commenc'ment of the winter in support of their pretensions. A war between them cannot be injurious to us; provided our merchts. have enterprise. As we stand on neutral ground, they may turn it to theirs & the genl. advantage. Believe me to be dear Sir your affectionate friend & servant,

Jas. Monroe[13]

P.S. The alteration wh. this report proposes in the whole system of our govt. will be great. It is in fact a radical change of it. [I] beg of you to write your sentiments fully on it. If it is car[ri]ed it can only be by thorough investigation and a conviction carried to the minds of every citizen that it is right. The slower it moves on therefore in my opinion the better.

RC (DLC: Jefferson Papers).

[1] See Jefferson, *Papers* (Boyd), 7:508–23, 562–65.

[2] This cipher is in the Jefferson Papers, DLC. See ibid., p. 279n.

[3] That is, his letter to Jefferson of November 1, 1784. For Monroe's "propos'd instruction," see Monroe to Jefferson, December 14, note 6. Monroe also made a second motion on February 11 regarding duties on British goods imported into the United States through Canada which was assigned to a committee, chaired by Robert R. Livingston, that was already considering Livingston's February 1 motion for obtaining possession of the northwest posts. The committee, of which Monroe was a member, recommended on February 21 that Congress raise a force of 1,500 men and assign it to posts "as near as may be to those now occupied by the troops of his Britannick Majesty" and that the ministers negotiating a commercial treaty with Great Britain "be left at liberty to lay such restraints as they may respectively deem expedient on the commercial intercourse between these States and the inhabitants of Canada." See *JCC*, 28:30, 59–60, 88–89.

[4] For Monroe's initiative in the preparation of this report, see Monroe to Madison, December 18, 1784, note 6. The report and circular letter were assigned for consideration on April 5 but southern delegates, who feared northern monopoly of the carrying

trade, and especially Richard Henry Lee, who opposed any increase in congressional power whatever, prevented consideration of the measure. On May 11 a petition of Boston merchants requesting that Congress intervene immediately in commercial affairs under whatever powers it was currently invested was ordered to lie upon the table until the report of Monroe's committee could be considered again. The report was finally debated in the committee of the whole July 13–14 but Congress could come to no conclusion, allowing the report to languish until it was filed in October 1787. See *JCC*, 28:205n, 345, 29:533, 536, 539; and Frederick W. Marks, *Independence on Trial: Foreign Affairs and the Making of the Constitution*, 2d ed. rev. (Wilmington, Del.: Scholarly Resources, 1986), pp. 86–88. See also William Grayson to Washington, July 25, 1785, note 3.

[5] Monroe's April 4 motion to appoint a committee to consider revisions in the instructions to the ministers negotiating commercial treaties in Europe was referred to a committee consisting of Monroe, Rufus King, Charles Pinckney, William Samuel Johnson, and John Laurance. While it deliberated, Secretary for Foreign Affairs John Jay delivered on May 18 his reflections on the draft of a treaty of amity and commerce sent by the ministers abroad in which he questioned the entire system for regulating the trade of the United States. In the meantime, Monroe's committee recommended on June 2 that the first two articles of the minister's previous instructions be repealed. According to Charles Thomson's endorsement, the report was held "Secret. But Congress order a written copy to be made out for each State & delivered to the delegates." Although the report was assigned for consideration on June 9, it was apparently never debated or acted on. See *JCC*, 28:229, 366–69, 418–22; and PCC, item 29, fols. 341–44. See also Monroe to Jefferson, June 16, note 4. For the place of this report in the larger effort to rationalize American trade policy with Europe, see Vernon G. Setser, *The Commercial Reciprocity Policy of the United States, 1774–1829* (1937; reprint ed., New York: Da Capo Press, 1969), pp. 70–73.

[6] Congress had resolved to appoint John Adams' successor as minister to the Netherlands on March 7 when, according to Charles Thomson's committee book, Robert Hanson Harrison was nominated by James McHenry, Robert R. Livingston by David Howell, Ralph Izard by Charles Pinckney, John Rutledge by Samuel Holten, and Gov. William Livingston by Charles Stewart. Robert R. Livingston's name was withdrawn on March 21 and Izard's on the "10th," presumably of April. During the next two months, according to the testimony of the delegates, Congress held several ballots finally casting a majority for William Livingston after Harrison's name was withdrawn on June 23. When Congress received Livingston's refusal on the 27th, however, Holten renominated Rutledge, to the annoyance of the southern delegates, and David Howell renominated Robert R. Livingston the following day. But Livingston's name was withdrawn and John Rutledge was unanimously elected on July 5. Rutledge also refused the post and when his August 1 letter was read on the 24th Jacob Read renominated Ralph Izard and two days later Abraham Baldwin nominated John Houstoun. It is not clear when Houstoun's name was withdrawn, but on March 28, 1786, Stephen Mix Mitchell nominated William Samuel Johnson to oppose Izard. On May 15 Johnson's name was also withdrawn and the South Carolina delegates immediately called for an election which the New England and middle state delegates attempted to block. Failing in that, they succeeded in preventing Izard's appointment and Congress thereupon postponed the election indefinitely. See *JCC*, 28:122, 474, 481, 29:497, 654–55, 663, 30:140n, 264–65, 267n; and PCC, item 190, fols. 1–2.

[7] That is, the Longchamps affair which Jefferson and Monroe had reviewed in their letters of May 21 and November 1, 1784, respectively. See Jefferson, *Papers* (Boyd), 7:279–80. By his observation that the affair "falls now within your province," Monroe was referring to the resolutions that were to be presented by Jefferson to the French court at Versailles, which are printed in the journals without date under the April 27 entry. They had been drafted by a committee chaired by Robert R. Livingston that had been assigned on March 29 John Jay's February 17 report on the marquis de Barbé-

Marbois' demands for Longchamps' extradition. See *JCC*, 28:210n, 314–15; and William Henry to George Bryan, February 26, note 2.

[8] For these March 11 "instructions," see *JCC*, 28:116–17, 139–48, 154; and Abiel Foster to Jefferson, March 26, note.

[9] See Charles Thomson to Certain States, this date, note 1. For Elbridge Gerry's position on this issue at Annapolis, see Massachusetts Delegates to the Massachusetts Assembly, June 4, 1784, note 13.

[10] For the ordinance for "ascertaining the mode of locating and disposing of lands in the Western territory" reported this day by a grand committee, see *JCC*, 28:251–56; and William Grayson to Washington, April 15, note 1.

[11] On Decemher 8, 1784, François Carbonneaux had presented a November 10 petition from the inhabitants of the Kaskaskia district in the Illinois country requesting among other things power to appoint magistrates to estahlish order in their settlements. The petition was assigned the following day to a committee chaired by Samuel Hardy, and on February 9, 1785, a similar petition, presented to Congress by Dorsey Pentecost and dated the preceding June, was also referred to Hardy's committee. On February 15 the committee reported that the Illinois inhahitants suffered "from the want of order and good government" and recommended that one or more commissioners be sent to the Illinois settlements to excecute measures "best calculated to quiet the Minds of those people and secure their attachment to the foederal government." On February 21 Congress decided upon a single commissioner, but assigned the report to a second committee, consisting of Robert R. Livingston, James McHenry, David Howell, Jacob Read, and Monroe, to determine his authority and instructions. Contrary to information provided by Edmund C. Burnett and John C. Fitzpatrick, Isaac Smith was nominated for the post that day and on March 1 George Morgan, Richard Butler, and Arthur Lee. Cf. Burnett, *Letters*, 8:x, 144n.5; *JCC*, 28:106n.1, 112n.1; and PCC, item 190, fol. 1. In its March 14 report (*JCC*, 28:155–57, 29:918) the Livingston committee recommended conferring broad powers on the commissioner involving land titles and surveys, executive appointments, judicial functions, Indian relations, and military command which he would exercise during a three year term. Congress took no action on this report, however, and on May 3 issued conflicting directions to the western Indian commissioners to determine the land rights of the Kaskaskia inhabitants and to administer oaths of allegiance, although it later repealed these orders "from an apprehension it wld. create too great an expence," for which see Monroe to James Madison, May 5?, note 10; and Monroe to Jefferson, July 15, note 2. It was not until December 28 that Charles Thomson attempted to revive the unfinished business of the Kaskaskia petitioners by summarizing previous congressional actions regarding the settlements and requesting that Congress set aside a day for consideration of the March 14 report. Finally, on March 27, 1786, it was referred to a committee chaired by Monroe instructed "to consider & report forms of government to be instituted in the western territory of the United States by Congress prior to the institution of temporary government there agreeable to the resolve of April 23, 1784." See *JCC*, 27:677n.2, 28:54n, 67–68, 87, 89n, 90n, 115, 155–57, 330–33, 487, 29:907–9, 30:139n; PCC, item 30, fols. 263–69, 431–68, 483–89, item 186, fol. 171, item 190, fols. 1, 9, 13, 90; Clarence W. Alvord, ed., *Cahokia Records, 1778–1790, Collections of the Illinois State Historical Library*, v. 2; Virginia series, 1 (1907): 567–73; and Clarence W. Alvord, ed., *Kaskaskia Records, 1778–1790, Collections of the Illinois State Historical Library*, v 5; Virginia series, 2 (1909): 360–73, 411.

[12] See Monroe to James Madison, December 18, 1784, note 5. In response to this letter, Jefferson made the following pointed ohservation: "{I am sorry} to see a possibility of {Arthur Lee's being put into} the {Treasury. He} has no {talents} for the {office} and what {he has} will be {employed} in {rummaging old accounts} to {involve} you in {eternal war with [Robert] Morris} and {he} will in a short time {introduce} such {dissentions} into the {Commission} as to {break it up}." Words printed in braces were written by Monroe in cipher. Jefferson, *Papers* (Boyd), 8:229–30.

[13] For a brief note Monroe wrote to Jefferson on April 6 introducing John Cooper, a North Carolina merchant who intended to establish himself in London or at The Hague, see Jefferson, *Papers* (Boyd), 8:70, 336.

James Monroe to William Short

Dear Sir N. York, April 12. 1785.

Rather to desire your correspondence and to assure you of my disposition to receive and execute any commands you may have for America than to give you any great political information am I inducd to write you: The situation of our affrs. with the powers of Europe I am rather to hear from you, and our measures with each you will have from Mr Jefferson for unless we had a cypher I cod. not with propriety give you any intimation. And with respect to the state of this continent, just emerging out of the woods, in comparison with the one in wh. you reside, I readily conceive you believe, what in fact is the truth, that in the line of the arts there is nothing new (if there was any thing old) worthy yr. attention, & in the line of the sciences I believe they carry their enquiries farther in France or Engld. or Germany or any where else except Spn. & Portugal than here. I have heard of no great achievement of Presidt. Madison, nor Smith nor even Rittenhouse lately.[1] But from you I am to have both useful and entertaining information. Our correspondence will not be founded in reciprocal advantage & therefore I fear you will not keep to it long. However as I am to profit by it, it belongs not to me to be the first to decline. Colo. Smith will perhaps deliver you this. He is secry. to the London legation—his being in Genl. Washingtons family when he retir'd from the army facilitated in a great degree the attainment of this office. He is generally reputed a sensible, worthy man. I have no doubt you will find him an agreeable acquaintance.

Believe me sincerely yours, Jas. Monroe

P.S. I shod. write you a longer letter whether it contain'd any thing in it or not if I was not under the necessity of commiting it immediately to Colo. Smith. I lately gave a Mr. Cowper a line to both yourself & Mr. Jefferson. I have committed to him the sale of my western property. This I have done in consequence of the character I have had of him from Mr Hardy & the No. Carolina delegation. Any information you can give me upon this head will be acknowledged gratefully.

RC (PPAmP: Miscellaneous Manuscripts Collection).

[1] That is, Rev. James Madison, president of the College of William and Mary, William Smith, former provost of the College of Philadelphia, and astronomer David Rittenhouse.

Charles Thomson to Certain States

Sir, Secretary's Office April 12th. 1785

I have the honor of transmitting you the enclosed Acts of the 1st, 7th, & 12th Instant relative to the raising a body of Troops for the protection of the North Western frontiers, the defence of the Inhabitants against the depredations of the Indians, for preventing unwarrantable intrusions on lands belonging to the United States and to guard the public stores.[1]

As the United States in Congress assembled have been pleased by a late Ordinance of which I enclose a Copy,[2] to make it a part of the duty of the Secretary of Congress "to transmit to the several States all Acts, Ordinances, resolutions and recommendations of Congress and to correspond with the States for the purpose of receiving communications from them relative to the execution of the same" I have embraced the earliest opportunity of forwarding the enclosed Acts and trust your Excellency will favour me with an Account of the steps taken by your State for revising the Quota assigned, that I may make report thereof conformably to the said Ordinance.

The honor, peace, and prosperity of our nation being objects very near my heart nothing will give me greater pleasure than frequent opportunities of reporting to Congress the earnest and united endeavours of the several States to promote those great and desireable ends.

I have the honor to be, with great respect, Your Excellency's Most Obedt & Most huml servt., C. T.

LB (DNA: PCC, item 18A). Addressed: "To His Excelly. The Govr. of Connecticut, the Govr. of New York, the Govr. of New Jersey & the Prest. of Pennsylvania."

[1] See *JCC*, 28:223–24, 239–41, 247–48; and Clinton, *Papers* (Hastings), 8:382–83.

[2] That is, the March 31 "Ordinance for the regulation of the Office of the Secretary of Congress," for which see *JCC*, 28:212–14.

Hugh Williamson to Thomas Ruston

Dear sir New York 12th April 1785

This will be handed you by Col. Smith[1] a native of this State who was long one of Genl. Washingtons Aids and now goes over to London Secretary to the American Legation at that Court. After what has been said I am certain that nothing needs be added to recommend the Colonel to your Civilities and those of Mrs. Ruston, if he should find Time to stop a few Hours at Exeter on his Way from Falmouth. As you had formerly resolved to come out to America I shall not doubt of your retaining that Resolution especially as your Father's landed Interest, now devolved on you, will require your personal attention. My three Year's Service in Congress is nearly expired; about the End of

May I shall return to Edenton & it will give me great Pleasure if you will be so good as point out by what means I can render you any Service. Be pleased to present my Respects to Mrs Ruston and assure her that I long much for an opportunity of telling her personally with how much sincerity I am her's and Your most obedt & very hble Servt.

Hu Williamson

RC(PHi: Coxe Papers).

[1] That is, William Stephens Smith.

John Beatty to William Livingston

Dear sir New York. 13th April 1785.

In a letter, a few days since to Your Excelly.,[1] I hinted the probability there would be, of some Acts of Congress, which would require the Attention of the Legislature of our State, at an Earlier period, than that to which they stood adjourned. Those I had principally in View; were the Requisitions, on the States for *Men* and *Money*. The former of these was passed on Yesterday, and the Number assigned to N. Jersey, the same as last Year; but the Ter[ms] of their Enlistment is for three Years. A Copy of [the] Act Mr. Secy. Thompson will forward to Your Excelly. by this Conveyance.[2] Two reasons Might be given why this Measure ought not to be long delayed—first—The Troops (both Officers & Men) are to be raised upon much lower Terms, than those last year; so that the sooner the former are discharged the greater the saving will be to the United States; but a more principal reason is; That no Measures having as yet been taken by Great Britain for the Evacuation of the Western Posts; it becomes expedient for the U. States to pursue such steps; as may tend to aid the Negotiations on that Subject, of her Minister at the Court of London; give Security to the Frontier Settlements; facilitate an intercourse with the Indian Nations; and to protect and promote the Navigation of the Lakes by her Citizens. These Objects will in a great Measure be Effected, by raising a Competent Force for this purpose & placing them in such situations, as must tend to render the Posts now held by the Troops of his Britannic Majesty Void and useless. The number proposed to be raised cannot wholly do this; but if we can alienate the Trade, now carried on by Means of the Canadians, under the protection & for the *sole* Emolument of the Military Establishment in that Province; Change the Channel & throw the Trade into the Hands of the Citizens of these States; I am persuaded, it will operate, not only as a Source of great wealth; but will be the Means of facilitating a delivery of those Posts.

The requisition for *Money* is in part Acted on & will shortly follow the other. The Agregate Amount will be Three Millions of Dollars; of

this the Quota assigned N. Jersey stands at 166,716 Dollars.[3] The Necessity of the States taking Measures for immediately carying this Act into Effect is so apparent, that I should forbear saying anything on this head; were it not for some circumstances, which Your Excelly. or at least the Legislature cannot be acquainted with. The Minister of France and since his return to Europe; the "Charge des Affaires" has in a Number of Instances represented to Congress the Uneasiness of his Master, the most Christian King, on the Subject of his Loans to the U. States; That he finds no Effective Funds have been provided, for either securing the Principal, or discharging the Interest accruing, & already accumulated thereon: That an injurious discrimination has been Made by some of the States, between their own Citizens, and the subjects or Citizens of France holding Loan Office Certificates; in the partial payment of Interest arising on this debt. This has Created disgusts & discontents among that Class of Creditors; which may eventually prove pernicious to the good Understanding prevailing between the two Nations. Mr. Morris, in a letter of the 23d Feby last informs us, "That he had not been in a Capacity to make any payments due in France, the last Year." This Circumstance, will not abate their Jealousy, but rather heighten their Demands; more Especially when they learn, That the Funds, on which they principally relied, for discharging, as well [the] Interest as the Principal of the National Debt. "Viz. By the Establishment of Certain Imposts and providing Suplementary funds for a given Number of Years, as recommended in the resolutions of the 18th April 1783" are (if not wholly frustrated) procrastinated to such a period; that their Hopes are but very slender, with regard to the preservation of our Faith and the Establishment of a National Credit. Your Excelly. must have learned with pain, That the states of New York & Georgia have wholly rejected this proposition, and that Rhode Island have acceeded to it, under such limitations & restrictions as are antifœderal & cannot of Course bind the other states: Indeed I almost dispair of seeing a Continental Impost Established or rather the duties resulting therefrom, going into a Common Treasury: Certain I am it will not be Conceeded upon the present System. Under this State of things, it is apparent, that other Measures must be resorted to, for the purpose of discharging the growing Interest— That on the Foreign Debt, as also the Supplies for the Services of the present Year (the latter amounting to near Half a Million of Dollars) can be discharged with no other than *real Money*. Facilities may be made use of, by the States in discharge of the Interest arising on the Domestic debt; so far I observe the State have already made provision, and anticipated the Views of Congress, by their Revenue Act, passed in the close of 1783;[4] and altho it is not exactly in the Train, which they may recommend, yet still substantial Justice is done thereby to the Creditors within the State. The Necessity of the Measure then, I

trust is undeniable; but how far the State is able to bear this additional Tax, is a question I am not able, nor is it my duty to Answer. I am well aware of the great Exertions of N. Jersey during the War, and of her consequent impoverished state on the return of Peace. I am not insensible too, of her Situation, between two great Commercial Citys, which not only cut her off, from every Benefit resulting from Trade, but also necessarily subjects her to Contribute to their Wealth & Revenue, in a Ratio proportionate to her Consumption of imported Articles and under this impression I had prepared a Motion (a Copy of which I inclose Your Excelly.) which I intended to have Made in Congress, with a View to alleviate in a small degree, the present sum demanded of the State—finding however little or no probability of its being adopted; I have for the present laid it aside; well hoping, that our Legislature will conceive it an Object worthy of some attention since the Idea of an Impost for Fœderal purposes, seems almost wholly Extinguished & the Mode of raising Money by Requisition & for Quotaing the National Debt, may continue for some Years to Come.

Before I conclude this long letter, I must beg Your Excellys. further Indulgence, w[hile] I mention one other Circumstance, that may have some weight in calling the Legislature together Earlier, than the time to which they are adjourned; I mean the representation of the State on the Floor of Congress. I hope I shall be believed by Your Excelly. & the State, when I assure you, it is with the utmost reluctance, I relinquish the very Honorable Trust, they have been pleased to repose in Me; but Necessity and Candor obliges me to declare I cannot longer serve them in Congress. Not born to an Affluent fortune; and my little Patrimony, gradually Mouldering; from a Want of that attention which my Engagements in public life, since the Commencement of the Revolution has prevented; I am Constrained by the Dictates of Humanity & the duties I owe to a dependent family, to retire to a private life & to provide by my Industry for those, who have a right to require it of my Hands. I feel myself extreamly flattered & gratefull, for the appointment the State have Conferred on Me; but I must say, the Salary they have been pleased to Anex to it, is not more than barely sufficient for my single Maintenance while attending on the Duties of it. Mr. Houston Informed me he should certainly decline. I have wrote Mr. Dick, pressing his attendance. He is silent on the subject, and I am inclined to believe does not mean to attend. Mr. Cadwallader is absent for the present, but Expects to return in May.[5] Mr. Stewart assures me it will not be in his power to Continue much longer. In this dilemma we now Stand, and I greatly fear the State will not Continue to be represented, Unless further appointments are Made. I hope your Excelly. will excuse me for this particular detail and attribute it to a sincere Wish I have, that these Vacancys May be supplied & the reputation of the State preserved.

With sentiments of the Most perfect respect and Esteem, I have the Honor to be, Your Excellys. most Obedt. Hum Servt.

Jno Beatty

RC (MHi: Livingston Papers).

[1] Not found.

[2] See Charles Thomson to Certain States, April 12.

[3] See *JCC*, 28:217.

[4] For this December 20, 1783, New Jersey act, see Livingston, *Papers* (Prince), 5:188n.8.

[5] Lambert Cadwalader returned to his seat in Congress July 25, 1785. See *JCC*, 29:570, 572.

John Sitgreaves to John Gray Blount

Dear Sir New York 13th, April 1785.

I had the pleasure to write you about a fortnight ago[1] by the Brig Capt. Hollister for New Bern in which I thanked you for your favour of the 14 Ulto. which is the only one I have Received from you since I came here.

I find from Mr. W. Blounts Letter to Mr. Spaight by S. Tinker that it is supposed I was then on my return home, it was this supposition I presume that induced them not to write me by him.

From the pressing necessity for my return home I have submitted to the inconvenience of paying a very exorbitant Interest per Month for Money to enable me to pay my Expences here & on the *road*, (for I propose avoiding the sea hereafter as much as I possibly can) the sooner therefore that remittances can be made me for repaying this Money (which will be something more than 200 £) the sooner shall I get rid of an intolerable peice of Usury, I am sure my dear Sir this hint to you for a Necessity for Money is wholly useless, I know that without it you wou'd do whatever was in your power but it is a subject which engrosses so much of my Attention that I cannot begin a Letter to you without touching on it. Give me leave to observe to you that remittances will be more advantageously made to Philadelphia in (I beleive) any kind of No Carolina produce than to this place, Trade here is very confined & stagnate. 4 or 500 Barrels of Naval stores will any time reduce the price of them here 25 or more per Cent. There will be no difficulty in transferring Money from Phila to New York & I think it is pretty certain that Markets are generally better at that place than at this. But shou'd you find it more convenient or proper to ship to New York on my Account I will beg the favor of you to address & consign the same to Messrs. Stevens & Hubbell, Water Street No. 145.

Inclosed are the two last papers one of which contains an Edict of the King of France which no doubt is interesting to every American Merchant to know.[2]

The prices current which I enclosed you in my last must not be relied on, our produce, particularly Naval stores is much lower now.

Please present my Compliments to Mrs. Blount &c. and Mr. Wm Blount, I shou'd have written him was I not about leaving this soon therefore I cou'd write him nothing which I cou'd not with more pleasure tell him in person very shortly. I shall if I can conveniently leave this about the 20th of this Month & will make no considerable Delay on the road.[3] You shall hear from me at Philadelphia if any thing offers worth Communicating.

I am Dr. Sir, with much Esteem, Your mo. obedt,

Jno Sitgreaves

RC (Nc–Ar: Blount Papers).

[1] Not found.

[2] An "Arret of the King's Council of State" of August 30, 1784, containing 19 articles concerning foreign commerce with the French West Indies, appeared in the April 12 issue of the *New York Gazetteer and Country Journal.* The same "Edict" had been printed in a number of Philadelphia newspapers in mid-March. For its appearance as a broadside (Philadelphia: John Dunlap & David C. Claypoole, 1785), see Evans, *Am. Bibliography,* no. 19,010.

For an analysis of the impact of this arrêt on United States trade with the French West Indies and the development of French commercial policy at this time, see Frederick L. Nussbaum, "The French Colonial Arrêt of 1784," *South Atlantic Quarterly* 27 (January 1928): 62–78.

[3] Sitgreaves submitted his accounts as a delegate to the speaker of the North Carolina Assembly on December 17, 1785. The claim he enclosed was "To my attendance in Congress as a Delegate of the State from the 14th Novr. 1784 until the 12th of May 1785, 6 months, @ 80£, £480. Travelling to and from Congress 2 Months, @ £80, £160." Burnett, *Letters,* 8:275n, "Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia."

Rufus King to John Lowell

Dr. Sir New York 14th. Ap. [17]85.

Six of the Judges of the federal Court have accepted their appointments; Mr. Wythe & Mr. Monroe of our nomination, and the remaining four of the nomination of N York. Mr. Harrison & Mr. Grayson have declined, and no answer has been received from Mr. Rutledge.[1] The uneasiness of New York with the place fixed on for holding the court has embarrassed the institution of it; and Mr. Holten & myself some days since, signed a Letter, jointly with the Agents of N York, to Mr. Wythe, copy whereof is inclosed.[2] This measure was agreed to by the four Delegates of Massachusetts when we were all here. We have the acceptance of Mr. Wythe, and if his engagements will not permit him to come northerly, we now have the engagement of N. York to go to him. You ask why the commission has not been made out. The mode of conducting the business in Pennsylvania & Connecticut has

become a precedent and there, one commission only was made naming all the Judges, an attested copy whereof was put to each Judge, the original commission delivered to the Court, and returned by them to Congress with an indorsed certificate that they had executed the Trust. By the second agreement between M. & NY. provision is made for supplying Judges in the place of such of those originally named as shd. decline—two have declined, and no answer received from a third. Two Delegates can not supply these Vacancies—a commission therefore cannot issue—from the situation of the cause it will be difficult, and uncertain whether you will be able, to try it in June. Dotr. Johnson is of this opinion—the Agents of N York propose to defer the Trial until the fall.

I do not see how it can be tried in June—pray inform me of your sentiments.

With great consideration, Your Obt. servt. R King

RC (MH-H: bMS Am 1582).

[1] For the responses of the "Judges of the federal Court," see Massachusetts and New York Agents to James Monroe, December 28, 1784, note 3.

[2] See Massachusetts and New York Agents to George Wythe, April 9.

Richard Henry Lee to John Adams

My dear Sir, New York April 14th. 1785

The desire of paying my respects to an old and excellent friend compels me under all the pressures of ill health and much business, to avail myself of Colo. Smiths secure conveyance to take up my pen. It is long since I have written to you, but much longer since I have had the honor of hearing from you, and I am perfectly satisfied that both these effects have been produced by causes not fairly within our controul—perhaps the same obstructions may not so fully prevail hereafter, and if they do not, I shall be happy.

Whilst I congratulate you on being appointed sole Minister to so eminent a Court as that of London, I cannot help congratulating my Country at the same time, for the just expectations that may be formed from the wisdom, patriotism, and diligence of its Minister. The untoward circumstances in which both countries are found to be placed, may have arisen from a neglect of decent and proper respect having been heretofore paid by each to the other. And if so, this advance on our part, may lead to the establishment of better conduct and happier consequences. That it may be so, may God, of his infinite mercy, grant. So far, I think that I pray devoutly for the honorable success of your Mission. Colo. Smith can give you so accurate a state of things here that it seems not necessary for me to enlarge on them—

but with respect to this Gentleman, and his appointment, permit me to observe, that his established reputation is that of a Man of honor, of sense, and of very tried attachments to the success of our Union. His appointment (I mean the Office) Seems, as far as I have been able to investigate it, from a wish to shew respect to the Court of London, by an exact observance of all forms in such cases practised.

I believe that Congress will adjourn (leaving a Committee of the States) in June next. So that when you find leisure and inclination to honor me with a letter, by sending it to the house of Wallace, Johnson & Muir, my Correspondents in the City of London, they will forward your letter safely to me.

I heartily wish you every honor and success in life that you can wish yourself.

Your affectionate friend. Richard Henry Lee

RC (MHi: Adams Family Papers).

Hugh Williamson to Thomas Hutchins

Sir, New York 14th April 1785

The grand Committee have reported the Ordinance for the Land Office. It was reported on Tuesday, obtain'd its first Reading on its Passage to day and may probably obtain its second & third during the next Week.[1] The Order for raising Troops, 700 men, has passed.[2] The Plan proposed in the Ordinance, now on its Passage, is to have a Geographer for the U S and thirteen or more Surveyors under his Direction. No other Officers are proposed. The Treasury & Officers of the Loans in difft. States are to mannage the Mony matters. The Geographer is to see that the Surveyors execute their Work with some degree of accuracy & to make out a Map of the Country from their Works. It is very doubtful how we shall agree to have the Surveyors appointed, whether Congress will do that Business or leave it for you. We certainly shall wish that the Work be entered on as soon as may be.

Is it true that you are setting out for the Western Country? If you have Business that calls you to the Westward, would it not be proper to signify to Congress, by a formal application your desire of going;[3] for in that Case if they conceive that they have immediate occasion for your Services, they will so say. Should you be wanted in 8 or 10 days it would be inconvenient to send for you to Fort Pit & the National Business at a stand during that Space. I have mentioned this because I have just seen a Paragraph in a News Paper mentioning that you was in a few days to set out to run the Line of Pensylvania.

Mrs. Romayn requests me to give you her Compliments. I am, Sir, Your hble Servt. Hu Williamson

RC (NjMoHP: Lloyd W. Smith Collection).

[1] See Joseph Gardner to George Bryan, March 19, note 4, and the following entry, note 1.

[2] See Charles Thomson to Certain States, April 12, note 1.

[3] Geographer Hutchins had written to Congress on March 7 announcing his return to New York following the completion of his work in running the southern boundary line between western Pennsylvania and Virginia, and that he was awaiting their further command. Since then the Pennsylvania Council had named him along with Dr. John Ewing a commissioner "to run and mark" the western boundary of Pennsylvania, and had instructed its congressional delegates to determine whether Congress wished to nominate any other commissioners to cooperate in this survey.

Apparently in response to this letter from Williamson, Hutchins wrote a letter to Congress on April 21 asking whether they "have any Objection to my assisting in the above Work," which was referred to the same committee appointed to report on the Pennsylvania Council's query. The committee immediately recommended against Hutchins' proposed work for Pennsylvania, but the matter was not acted upon until Congress reached a decision on a western land ordinance and whether Hutchins' appointment as Geographer of the United States would be continued, which was decided on May 27. At that time Congress resolved that Hutchins continue in office "for a term not exceeding three years, and that he be allowed . . . six dollars per day, for his services and expenses," and named nine surveyors to assist him in implementing the new land ordinance. See PCC, item 60, fols. 177–84, item 69, 2:491–94; and *JCC*, 28:291, 398.

William Grayson to George Washington

Dear Sir, New York Apl. 15th. 1785.

I did myself the honor of writing to you by Post the 10th of March last in answer to your favor of the 22nd of January, & I hope my letter has before this got safe to hand.

On my being appointed one of the Commee. for draughting the Ordnance for ascertaining the mode of disposing of lands in the Western territory, the President was kind enough to furnish me with an extract of your letter to him on the subject of the back Country, which now induces me to conclude it will be agreable to you to be informed of the farther progress of this important business.[1]

The Ordnance was reported to Congress three days ago, & ordered to be printed, & I now take the earliest opportunity of sending you a copy; The idea of a sale by public Vendue, in such large quantities, appears at first view eccentric, & objectionable; I shall therefore mention to you the reasons which those who are advocates for the measure offer in it's support; They say this cannot be avoided witht. affording an undue advantage to those whose contiguity to the territory has giv'n them an opportunity of investigating the qualities of the land; That there certainly must be a difference in the value of the lands in different parts of the Country, and that this difference cannot be ascertained witht. an actual survey in the first instance & a sale by competition in the next.

That with respect to the quantity of land offered for sale in a township, it will not have the effect of injuring the poorer class of people, or of establishing monopolies in speculators & ingrossers: That experience is directly agt. the inference, for that the Eastern States, where lands are more equally divided than in any other part of the Continent were generally settled in that manner; That the idea of a township with the temptation of a support for religion & education holds forth an inducement for neighbourhoods of the same religious sentiments to confederate for the purpose of purchasing and settling together; That the Southern mode would defeat this end by introducing the idea of indiscriminate locations & settlements, which would have a tendency to destroy all those inducemts. to emigration which are derived from friendships, religion and relative connections; That the same consequence would result from sales in small quantities under the present plan;

That the advantages of an equal representation, the effect of laying off the country in this manner; The exemption from controversy on account of bounds to the latest ages; the fertility of the lands; the facilities of communication with the Atlantic through a variety of channels, as also with the Brittish & Spaniards; the fur & peltry trade; & the right of forming free governments for themselves, must solicit emigrants from all parts of the world, & insure a settlement of the country in the most rapid manner; That speculators & ingrossers, if they purchase the lands in the first instance cannot long retain them on account of the high price they will be obliged to give & the consequent loss of interest while remaining in their hands uncultivated;

That if they however should make money by ingrossing, the great design of the land office is answered which is revenue; and that this cannot affect any but European emigrants or those who were not at hand to purchase in the first instance; that if it is an evil, it will cure itself, which has been the case in Lincoln County Virginia, where the lands were first in the hands of Monopolists: but who were forced to part with them from a reguard to the general defense.

That the expence & delay would be too great to divide the territory into fractional parts by actual surveys, and if this is not done sales at public vendue cannot be made, as witht. a previous knowledge of the quality of the lands no comparative estimate can be form'd between different undivided moieties;

That the offering a small number of townships for sale at a time is an answer to the objection on account of delay, and at the same time it prevents the price from being diminished on acct. of the Markets being overstocked.

That the present plan excludes all the formalities of warrants, entries, locations, returns & caveats, as the first & last process is a deed.

That it supercedes the necessity of Courts for the determination of disputes, as well as that of creating new officers for carrying the plan into execution; That the mode of laying out the same in squares is attended with the least possible expence, there being only two sides of the square to run in almost all cases. That the expence will be repaid to the Continent in a ten:fold ratio, by preventing fraud in the Surveyors.

That the drawing for the townships and sending them on to the different States is conformable to the principles of the government, one State having an equal right to the best lands at it's market with the other: as also of disposing of it's public securities in that way.

That if the Country is to be settled out of the bowels of the Atlantic States it is but fair the idea of each State's contributing it's proportion of emigrants should be countenanced by measures operating for that purpose.

That if the plan should be found by experience to be wrong, it can easily be altered by reducing the quantities & multiplying the surveys.

These were the principal reasonings on the Commee. in favor of the measure and on which it would give me great satisfaction to have your sentiments,[2] as it involves consequences of the most extensive nature, and is still liable to be rejected altogether by Congress, or to be so altered as to clear it of the exceptionable parts; perhaps the present draught might have been less objectionable, if we had all have had the same views. Some gentlemen looked upon it as a matter of revenue only & that it was true policy to get the money witht. parting with inhabitants to populate the Country & thereby prevent the lands in the original states from depreciating. Others (I think) were afraid of an interference with the lands now at market in the individual States: part of the Eastern Gentlemen wish to have the lands sold in such a manner as to suit their own people who may chuse to emigrate, of which I believe there will be great numbers particularly from Connecticut: But others are apprehensive of the consequences which may result from the new States taking their position in the Confederacy. They perhaps wish that this event may be delayed as long as possible. Seven hundred men are agreed on, in Congress, to be raised for the purpose of protecting the settlers on the Western frontiers & preventing unwarrantable intrusions on the public lands, & for guarding the public stores.

I must now apologize to you for the length of this letter; the subject appeared to me of the greatest consequence & I was desirous you might have the fullest information thereon; As the communicating a report of a Commee. while under the deliberation of Congress is agt. rule, I shall thank you to retain the possession of it yourself.

I have the honor to be, with the highest respect, Yr. Affect. friend & Most Obed servt. Willm. Grayson

RC (DLC: Washington Papers).

[1] Washington's March 15 letter to Richard Henry Lee is in Washington, *Papers* (Abbot), Confederation Series, 2:437–38. On March 4 Congress had taken up Thomas Jefferson's report of April 30, 1784, which had been entered on the journals May 28 but had not been considered again before Congress adjourned June 3. See Jefferson to James Madison, April 25, 1784, note 2. The proposed ordinance then began a rigorous evolution from its March 2 broadside printing by John Dunlap until its emergence in its fifth and final form on May 20. After reading the ordinance for the first and second time on March 4 and 16, Congress referred it to a grand committee of which Grayson was a key member. The committee's modified ordinance was first read April 12 and ordered printed, but was recommitted this day. After lengthy debate April 20–26, the considerably altered ordinance was entered on the journals then recommitted again. Debate continued until it was resolved on the 29th that with only eight states in attendance the plan "cannot be compleated without a fuller representation of the States." Nonetheless, Congress resumed consideration briefly May 2 in the committee of the whole and again in Congress May 3–6. It was not until nine states were represented on May 18 that Congress entered into debate over the third reading and after final amendments passed the ordinance on the 20th. On May 26 printer John Dunlap prepared 500 copies for distribution. See *JCC*, 28:114, 165, 251–56, 264, 268n, 284–85, 290–96, 298–303, 309–10, 316–19, 322–23, 326–29, 335–40, 342–43, 365, 370–73, 375–81, 29:917 (no. 454), 918 (no. 459), 920, (no. 468), 923 (nos. 477–78).

[2] For which, see Washington, *Papers* (Abbot), Confederation Series, 2:519–21.

Rufus King to Timothy Pickering

Dear Sir New York 15th Ap. 1785.

The best return in my power to make you for your ingenious communications on the mode of disposing of the western territory, is to inclose for your examination the form of an ordinance reported to Congress on the subject—you will find thereby that your ideas have had weight with the committee who reported this ordinance;[1] and I have only to add that I shall hold myself particularly obliged by your farther communications on this subject. I likewise inclose you the Report of a committee on a motion for the exclusion of Slavery from the New States.[2] Your Ideas on this unjustifiable practice, are so just that It would be impossible to differ from them. I shall receive a farther proof of your goodness, if you can procure and send me a pamphlet written in Pennsylvania by Doctr. Smith upon the Connecticut claim to Western Territory about the year 1773.[3] I am told your Attorney Genl. or Mr. Sargent has a copy of this pamphlet.

Mr. Gerry writes me that his Draft on Mr. Russel for 400 Dols. has been sent on to Mr. Russel & paid. It was the intention of Mr. Gerry & myself that his draft shd. be recalled and mine substituted in its place—pray let my Draft be forwarded to Mr. Russel, and then the business will stand right.

With great respect, Your obt. servt. Rufus King

RC (MHi: Pickering Papers).

[1] Pickering had sent King some "loose hints" on the western land ordinance before Congress, a draft of which had been sent to him by Elbridge Gerry with a request to forward any thoughts he had on the subject to King. Pickering to King, March 8, 1785, Pickering Papers, 5:347A–51, MHi.

[2] For King's motion on slavery, which was referred on March 16 to a committee consisting of himself, William Ellery, and David Howell, who reported on April 6, see *JCC*, 28:164–65, 239. King's committee report is in PCC, item 31, fols. 329–31. It appears not to have been taken up at this time, but was later incorporated into the ordinance for the government of the northwest territory adopted July 13, 1787.

[3] That is, William Smith, *An Explanation of the Connecticut Claim to Lands in Pennsylvania* (Philadelphia: Joseph Crukshank, 1774). Evans, *Am. Bibliography*, no. 13,629.

Charles Thomson to John Hancock and Meshech Weare

Sir, Secretary's Office April 15th. 1785

Herewith you will receive an Act of Congress on a petition of Mr. Jonathan Eddy and other refugees from Nova Scotia, which your Excellency will be pleased to recommend to the attention of the legislature of your State and communicate to the persons concerned.[1]

I also enclose an Act of the 13th empowering States which have settled with their respective lines on the principles of the Act enclosed of June 1st 1784, to charge the United States with the payments made, provided the services shall not have been settled for by the paymaster General.[2]

As the United States in Congress assembled have been pleased by a late Ordinance, of which I have the honor to enclose a Copy,[3] to make it a part of the duty of the Secretary of Congress "to transmit to the several States all Acts, Ordinances, resolutions and recommendations of Congress and to correspond with the States for the purpose of receiving communications from them relative to the execution of the same" I trust your Excellency will favour me with an answer that I may make report thereof conformably to the said Ordinance.

With great respect, I have the honor to be Your Excellency's &c.

C.T.

LB (DNA: PCC, item 18A). Addressed: "His Excelly. The President of N. Hampshire, Governor of Massachusetts."

[1] For the enclosed April 13 resolution concerning Eddy and a number of Nova Scotian refugees who had been exiled because of their support of the American revolt against Britain, see *JCC*, 27:377n, 28:200–201, 258. They were essentially recommended to the benevolence of Massachusetts and New Hampshire and promised grants of federal land whenever Congress was in a position to begin disposing of the public domain.

[2] See the following entry.

[3] That is, the March 31 "Ordinance for the regulation of the Office of the Secretary of Congress," for which see *JCC*, 28:212–14.

Charles Thomson to the States

Sir Secretary's Office April 15th. 1785

I have the honor to enclose an Act of Congress passed the 13th, empowering the States which shall have settled with their respective lines on the principles of the Act of the 1st June 1784, of which I also enclose a Copy, to charge the United States with the payments made, provided the services shall not have been settled for by the paymaster General.[1]

With great respect I have the honor to be Your Excellency's &c.

C. T.

LB (DNA: PCC, item 18A). Addressed to the governors or presidents of the states from Rhode Island to Georgia. Cf. the preceding entry.

[1] See *JCC*, 28:261.

William Hindman to William Paca

My dear Sir New-York April 18th. 1785

When Leisure & Inclination will admit I should be made very happy in hearing from You, were it only to inform Me of Your's and our Friends Hea[l]ths, & what are the Pleasures and Amusements of the Ladies in Annapolis. Mr. Harrison Secretary to the President[1] requests Me to say unto You that He is in the Land of the Living—He tells Me that He hears Miss Plater & Miss Lloyd are going to be married to the two Mr Lownes's. I very much doubt the Truth of it.

You will herewith receive the Report of the Committee on the Lands belonging to the United States, as this is the only one I am at present possessed of, must beg the Favor of You to shew it to Mr. S. Chase, having promised to transmit him one. Should You choose to become an Adventurer in that Country, the most advisable Method will be to purchase Final settlement Certificates, they are to be got here at 2/9 in the pound, and think it probable they will not immediately rise, as the Senate of this State on an Addition of two new Members made a second Attempt to carry the 5 per Ct. Impost recommended by Congress, which was rejected by a greater Majority than before, these two being against it.

I expect Congress will take up the Land Report in a few Days. They are at present engaged in the Report on the Requisition for Supplies,

the Committee in this Apportionment adopted the same as on the Recommendation to the States to provide supplementary Funds for the 1,500,000. As this Report now stands We pay only 10⅔ of the whole, which is a much less proportion than heretofore required of our State.[2] Virginia will oppose it, her Ratio being encreased, but think it probable she will be alone.

I am, with the highest Esteem, Sincerely, Yrs &c

Wm. Hindman

[*P.S.*] No Minister as yet chosen for the Hague.

RC (MdAA: Red Books).

[1] That is, Pres. Richard Henry Lee's secretary Joseph Harrison.

[2] In the requisition reported by the grand committee on March 31, Maryland's share was actually 9.4% ($283,034 of $3,000,000), as compared to the 11.7% share she had been called upon to provide in 1782 ($933,996 of $8,000,000), which also provided the basis for the Continental requisitions for 1783 and 1784. See *JCC,* 26:194, 28:217, 29:745.

Rufus King to Elbridge Gerry

My Dear Sir, 18th April 1785

I enclose you the Gazettes which contains all the public information received by the Late Packets. We are going on with moderation in Congress—Land Office & Requisition now occupy us.

Mrs. Mercer has a Letter from her friend in London mentioning the Remittance of 90,000 £ Stg. from the Indies by her Kinsman Mr. T. Mercer, and that he will come from Bengall to America in a ship he has in that Country with a vast and valuable cargoe. She bids me tell you that she will be as good as her word concerning the Silver warming pan. *The Girls are* well and desire your return. Osgood is here; he and Livingston have appointed our friend Duer Secretary to the board of treasury and he has accepted. Osgood lives with Duer. Monroe will take Mrs. McCauleys works and Hardy desires you will subscribe for a copy for him.[1] I thank you for remembering me. The president desires me to send to Boston for a copy of the constitutions of the States.[2] I bought a copy at Shattucks store in King Street, and there were then a number remaining; Pray enquire and if you find a copy purchase it & bring it on with you. How goes the election of Governor ———?[3] I observe in a Salem Paper that you are balloted for as a Senator. I hope you will not accept such an appointment; because I wish you to go into the House of Representatives—there I suspect you will meet our late Govr. Hancock.

But I close. I am very sincerely my dear Sir Your's, RK

[*P.S.*] I inclose you the New York Paper of this Date—you will find this state have opend a Land Office to sell the Territory in Dispute between them & us.[4] It is a very unfair mode of procedure. If the Legislature of Mass. was now sitting I should advise to the passing a Resolve directing the Govr. to issue a Proclamation stating the dispute between the two States, and declaring that in case Mass. recovered the territory she would not hold herself bound to quiet such persons in their Titles as shd. purchase after such Notice.

I have it in contemplation to move congress to pass some Resolve on the Subject—if passed or negatived I could publish it, and this would prevent a rapid sale. RK

RC (NHi: King Collection).

[1] That is, Catharine Macaulay's *History of England from the Accession of James I to that of the Brunswick Line*, 8 vols. (London: J. Nourse, 1763–83).

[2] See these *Letters*, 16:584n.1.

[3] For an analysis of this election, "the first really contested election for governor" of Massachusetts since 1780, see Van Beck Hall, *Politics Without Parties, Massachusetts, 1780–1791* (Pittsburgh: University of Pittsburgh Press, 1972), pp. 132–38.

[4] The April 18 issue of *Loudon's New York Packet* printed the "Act to facilitate the Settlement of the Waste and Unappropriated Lands within this state" adopted by the New York Assembly on April 11. Samuel Loudon changed the name of his paper to *The New-York Packet* with the May 16, 1785 issue.

Richard Henry Lee to George Washington

Dear Sir. New York, April 18, 1785.

I should before this have thanked you for your favour of March 15th,[1] if I had not been in daily expectation that the arrival of the packets would bring us some intelligence from Europe worth communicating to you; the February packet has but just come in after a passage of eight weeks, and neither she or other vessels in short passages, bring us any thing interesting. War or peace in Europe, hangs yet in doubtful balance; both parties arming with assiduity, and nothing determined upon. Mr. John Adams, is sent plenipotentiary to the court of London, and Mr. Jefferson is the minister at Versailles, Dr. Franklin having leave, at his own request, to retire. Returning appearances of good humour, and a proposition first made by the British court, to treat of our differences in London, has induced hopes of an amicable adjustment of disputes. Mr. Gardoque is not arrived, but expected about the last of this month from the Havana, to which place he went from Spain previous to his coming here. If the commenced bickering between Madrid and London on the Musquito shore should go on, we may probably have easier work with both courts in our business with them. I have the honour to enclose you the report of a respectable

committee on the subject of selling the western lands, which has not yet been acted upon, though it speedily will.[2] What changes may be made in this plan before it finally passes, cannot yet be told, but probably there will be some. Your idea of settling a state at a time, would most certainly be the wisest and the best, if the excessive rage for taking lands there could be possibly restrained. But really it seems that either Congress must sell quickly, or possession will be so taken as to render doubtful this fine fund for extinguishing the public debt. It has been impossible to get a vote for more than seven hundred men to garrison all the posts to be fixed in the trans-Alleghanian country, from north to south; a number very inadequate, I fear, to the purpose of even suppressing illegal trespasses upon the western lands. Our friend the Marquis La Fayette, arrived after a short passage, but I believe it was a very boisterous one. Your letter for Mr. Lee I sent after him to Virginia,[3] whither he was returning before I received it. My best respects attend your lady.

I have the honour to be, with the truest esteem and regard, dear Sir, your most obedient and very humble servt.

Richard Henry Lee

MS not found; reprinted from Richard Henry Lee, *Memoir of the Life of Richard Henry Lee,* 2 vols. (Philadelphia: H.C. Carey and I. Lea, 1825), 2:63–64.

[1] See Washington, *Papers* (Abbot), Confederation Series, 2:437–38.

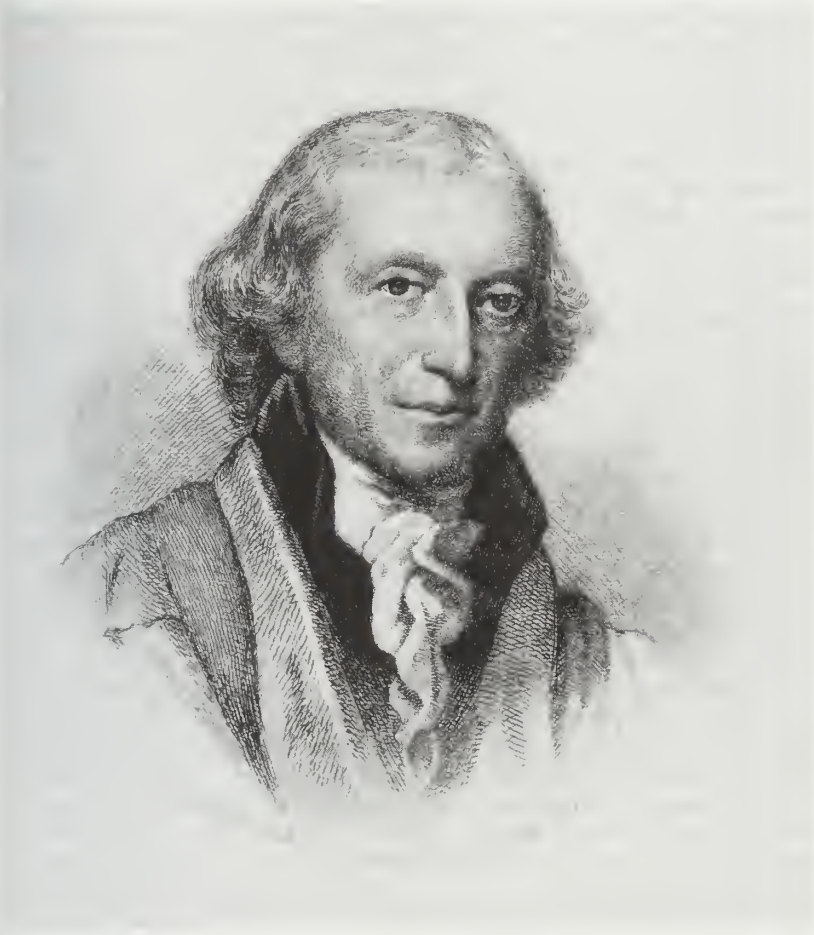
[2] See William Grayson to Washington, April 15, note 1.

[3] Washington's March 15 letter to Arthur Lee is in Washington, *Papers* (Abbot), 2:436–37.

William Samuel Johnson to Roger Sherman

Dr. Sr. New York April 20th. 1785.

I am sorry to hear by Genl. Woolcot, that you are not coming to N. York, as Capt. Wooster gave me to expect you would, about this time. I extremely want your Opinion & Advice relative to the pursuing Mrs. Woosters Petition before Congress.[1] The difficulty is this. Congress have very lately, upon the Petition of Genl. Thomas's Widdow of Massachusetts, fully explain'd the Doubt there was, whether he was entitled to Bridagiers or Colonel's Pay, deciding it in favor of the former. Thus, one of the grounds of Mrs. Wooster's Petition is effectually remov'd. What remains, is, only that the State of Connecticut will not pay it, tho' the Requisition of Congress is as full as they can make it, if they sho'd take up the subject again—And is it to be presumed that Congress will take it upon themselves, merely because Connecticut will not do what she ought? Nay will the Finances of the United States admit of such a measure? Yet more, can they do it when the other



William Samuel Johnson

States have actually taken upon themselves, & are now in the Payment, of similar demands, as N York of Mrs. Montgomery, N. Jersey of Mrs. Barber, &c &c? Would not this derange everything? Will not the matter now stand solely upon the ground, & appear in the light, of a complaint against the State? If so, can I advocate it? Will not everything of this Nature come with a very Ill Grace from a Delegate of the State? Finally, for I dare not presume to ask any more Questions, Is it not most adviseable, since Congress have explain'd the only doubt there was in the Case, & that the session of the Genrl. Assembly is so near, for Mrs. Wooster to apply once more to the Assembly before she pursues the matter further here. Your sentiments upon this subject would give great relief to, & extremely oblige, Dr. Sr., Yr. most obedient humble Servant, Wm. Saml. Johnson

[*P.S.*] Genl. Woolcot will tell you our situation here, since the Blow we have rec'd from N York. I am loath to revive the Idea of so severe & fatal a defeat.[2]

[*P.P.S.*] After I had written the within, I had the Honor to receive your favour of the 12th Inst![3] That I had nothing agreeable to acquaint you with, must be my Apology for not writing, & I presumed you had long since heard that N York had, in Senate, finally rejected the 5 per Cent Impost. It will not be resumed again this Year. Georgia too has neglected to grant it. In consequence whereof a most respectable Grand Jury of the State, have, before their Supreme Court, Indicted the whole Legislature of a high handed Misdemeanor.[4] This however, will produce no immediate benefit to the United States, & their Credit must for the present languish. Our only actual rescource is the Western Territory, (for I consider requisitions as extremely precarious) this we have been diligently at work upon for some time, & I hope shall now soon complete.[5] I think I may assure you, it will be settled to sell in Townships, of about 7 Mile Square, to be divided for purpose of sale to the several States, to be disposed of at Auction, fixing however a price, say 6/ per Acre, below which it shall not go. The Army also to take in Townships. I could wish the plan you propose with respect to the Impost could take place, but it is so bold & decided a measure that I fear we are not at present sufficiently in Spirits to adopt it. The Cession of Connecticut has been long depending before a Committee of 5, most of whom attend with reluctance, but when they meet contest it with vigour.[6] It will nevertheless be pressed, if possible, to a decision. The Massachusetts Cession has been just now Accepted which is no unfavourable circumstance.[7] The wish is that we would Cede the whole of our right, or at least as far as New York & Massachusetts have done viz: to a Line twenty Miles West of the Streight of Niagara. But I am of Opinion that if Connecticut proceeds in the affair with firmness & prudence, she may yet retain the Boundary she has proposed, but

something must be determined upon soon, for the reserved Territory will be included in the Sale proposed by Congress, except that part of it reserved by the Indians. The runing the Western Line of Pensilvania, which is to be done this Spring, will give us clearer, & more determinate Ideas of that Country. The Case of Vermont has not been bro't before Congress, owing to its having been depending all Winter before the Legislature of this State, under a general Expectation, which had taken place, that they would declare them Independent & request Congress to receive them into the Union. It appears now, within a few days, that it will not be done this Session, & why Vermont is not here to pursue the matter in Congress I know not.

We have pretty certain Intelligence that the Western Inhabitants of Virginia; & of North Carolina, are Erecting themselves into seperate & Independent States. This renders it extremely Necessary that the United States sho'd take immediate Care of their Western Territory. Seven hundred Men are Recommended to be raised for this, & other purposes.[8] I wish this Number may be sufficient. Mr. Kirkland has just now been with me. He appears to be a worthy, & well informed Man, & I sincerely wish he could be reestablished among the Indians. I shall certainly do all in my power to give facility & effect to his applications to Congress.[9] But the feeble Finances of the United States give a check to every liberal & enlarged Idea. They damp the Ardor of the generous, & are an effectual screen for the illiberal & contracted. I do not despair, however, that something may be done. Coll. Cook leaves us tomorrow.[10] I beg your Influence to send on some other Gentlemen in the Delegation, as well to supply his place, as to relieve me that I may, about the middle of May, attend the Genl. Assembly, where I have business of Importance, for a few days, after which, if it be tho't expedient, I will without hesitation, return here again, & am with the sincerest Esteem & Respect, Dr. Sr., Yr. most obedient humble Servant,

Wm. Saml. Johnson

RC (MHi: Miscellaneous Bound Collection). Addressed: "Honorble. Roger Sherman Esqr. New Haven. Honrd by Coll. Cook."

[1] The March 14 petition of Mary Wooster, widow of Gen. David Wooster, which was referred on May 3 to a committee consisting of Johnson, William Grayson, and David Howell, is in PCC, item 78, 24:511–13. For Congress' adoption of the committee's recommendation "That it be recommended to the State of Connecticut, to settle with and pay the widow of the late Brigadier General D. Wooster, the seven years half-pay of a Brigadier General," see *JCC*, 28:334. The Connecticut legislature did not comply with the request, however, and on July 8 Congress directed the board of treasury to compensate the widow from requisition funds for 1784 and 1785 received by the commissioner of the loan office in Connecticut. See PCC, item 42, 8:334–40; and *JCC*, 29:499n, 519.

[2] That is, by the rejection of the Continental impost by the senate of New York.

[3] Sherman's letter is in the Johnson Papers, CtHi; and Lewis Henry Boutell, *The Life of Roger Sherman* (Chicago: A.C. McClurg and Co., 1896), p. 345.

4. This denunciation of the Georgia Assembly had been largely the work of former Georgia delegate George Walton, chief justice of the state's superior court. The follow-

ing presentment of the grand jury for Chatham County had appeared in the March 10 issue of the *Gazette of the State of Georgia.*

"We the Grand Jury for the county aforesaid upon our oaths present: 1. We present, as a very great grievance, the inattention of the Honourable the Legislature to the requisition made by the Honourable the Congress of the United States for laying an impost of five per cent. on goods, wares, and merchandise, imported into this state, or devising some other mode adequate to the establishment of a fund for the support of the publick credit, and payment of that part of the debt which we may owe to those friendly powers who, on the faith of the States, supported us during the Revolution, and enabled us to obtain our glorious Independence. The requisition of Congress is founded, in equity and justice, nor can we reasonably expect to enjoy the advantages of the Union, unless we contribute to its support. We therefore apprehend a noncompliance on the part of our state will disgrace us as a people, and ultimately tend to destroy our credit at home and abroad."

"No state," Walton went on to argue in his charge to the grand jury, "can expect the advantages of the Union, without contributing to its support; and upon that principle, it is to be lamented, that the Legislature of this state has so long delayed to grant the duty required by Congress, and which has been come into by most of the other states."

For Georgia's struggle over Congress' appeals for authority to levy an impost, and the state's fiscal support of Congress following the end of the war in the south, see Kenneth Coleman, *The American Revolution in Georgia, 1763–1789* (Athens: University of Georgia Press, 1958), pp. 254–57.

[5] See William Grayson to George Washington, April 15, note 1.

[6] See Connecticut Delegates to Matthew Griswold, February 24, note 4.

[7] See Massachusetts Delegates to the Massachusetts Assembly, February 12, note 12.

[8] See Charles Thomson to Certain States, April 12.

[9] Samuel Kirkland's April 6 petition for compensation for more than eight year's service as missionary to the Six Nations was referred this day to a committee consisting of David Howell, Samuel Holten, and Johnson. PCC, item 41, 5:45–48. For the committee's report on April 25, and Congress' adoption on June 1 of three of the committee's recommendations for reimbursing Kirkland, see *JCC,* 28:285n, 297n, 306–7, 407. See also Richard Henry Lee to Samuel Adams, April 7, note 2.

[10] In his accounts with the state of Connecticut as a delegate to Congress, Cooke claimed compensation for travel and attendance for the period November 22, 1784, to April 22, 1785, and May 12 to October 28, 1785. These accounts also show expenses for room and board in Trenton from November 30 to December 24, 1784, and "in N. York from Jany. 13th to April 20th inclusive." Revolutionary War Collection, Ct. Secretary Thomson's journals indicate only that Cooke originally took his seat in Congress on December 2, 1784. *JCC,* 27:654.

Samuel Holten to Jonathan Eddy

Sir: New York, 21 April, 1785.

The enclosed is a resolution of Congress[1] I wish it had been more in your favor, but it is all that can be done for you here at present. The Secretary of Congress has forwarded to the Governor of Massachusetts an official copy of said resolution, yet I thought it advisable to give you this notice; no doubt you will observe it is not attested by the Secretary, (he being gone to Philadelphia) I thought it not material, as you may no doubt, if necessary, have a copy attested by the Sec-

retary of Massachusetts. I wish you to believe that I have not been inattentive to your affairs, notwithstanding the resolution may not fully come up to your expectations.

I am with real respect, your most obedient, S. Holten.

MS not found; reprinted from the *Maine Historical Magazine* 9 (January 1894): 66–67.

[1] For this April 13 resolution for the relief of Eddy and a number of Nova Scotian refugees, see Charles Thomson to John Hancock and Meshech Weare, April 15, note 1.

Samuel Holten to Job Whipple

Sir, New York, 21st April, 1785

A few days since, I invited the attention of Congress, to the report of the committee upon your memorial;[1] and it was referred to the Secretary at war, to report some genl Resolutions to releive all persons in similar circumstances; so that I think the prospect is in your favor; but when it will get through such a body as Congress is uncertain.

I wish you to inform Mr. Josiah Converse, of Danvers, that his memorial is in the same situation as your own.[2]

I thought it adviseable to give you this notice; and be assured that it will always give me pleasure to render you services.

I remain, with real respect, your friend & humble servant

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] For Whipple's memorial and the April 18 committee report on it, see Holten to Whipple, December 29, 1784, note.

[2] Ibid.

Charles Thomson to John Jay

Dear Sir Philadelphia 22. April 1785

I received yesterday the enclosed letter from general Washington, by which you will perceive the difficulty he is under with respect to the list of Slaves which were sent from New York.[1]

As it may be necessary for the Minister of the US at the court of London in the course of his Negotiations to have this list or a copy thereof, and as the general thinks it unsafe to send the original by the mail, and it is not in his power to make a copy (indeed it is unreasonable to expect he should) and as he wishes to keep either the original or a copy to prevent a chasm in his files, I submit it to you whether it would not be proper to send down a clerk to take a copy and to bring up either it or the original as you may judge proper, leaving the Other with him.[2]

I am busily engaged in preparing for my removal & hope to be with you the first week in May. You mentioned your having some things here which you wished to have sent round: as I shall send my furniture by water,[3] if you think proper to make use of that conveyance, I shall be glad of a line as speedily as possible, directing me where to apply for what you wish to have sent.

With great respect, I am, Dear Sir, Your affectionate friend & humble Sert Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] Washington's April 5 letter to Thomson is in Washington, *Papers* (Abbot), Confederation Series, 2:482. He had been told, he explained, that his list of slaves taken when the British evacuated New York was a duplicate copy, but that Jacob Read had since discovered this to be a misunderstanding and that Congress had need of it. Considering the difficulties and hazards involved in sending the list to New York, Washington suggested that it might be duplicated from records in the possession of two of the commissioners responsible for compiling it, Egbert Benson and William Stephens Smith, who were in New York and easily accessible to Congress. He concluded, therefore, that he should await further word from Congress before taking action. See also Jacob Read to Washington, March 9, notes 1–2.

[2] In his April 27 response, Jay concluded that he must leave the matter to Congress' determination since sending a clerk to Mount Vernon would entail considerable expense. But not until August 19 was he directed to obtain a copy of the list for transmittal to John Adams in London. See PCC, item 80, 1:145–46; and *JCC*, 29:648.

[3] See Thomson's List, May 9? 1785, note.

Charles Thomson to George Washington

Dear Sir, Philadelphia 22 April 1785

I received yesterday your letter of the 5 and as the subject therein referred to belongs to the department of foreign affairs, I have transmitted it to Mr Jay.[1]

I have no doubt but the Minister who is to negotiate with the court of London will have occasion for the list; but as it would not be safe to trust a paper of such importance to the common conveyance by the post, and as it is proper that you should keep either the original or a copy to prevent a chasm in your files, I have taken the liberty of suggesting to Mr Jay the propriety of sending one of his clerks to take a copy & to bring up either it or the original leaving the other with you.

The last time I had the pleasure of seeing you I entertained, & I believe expressed a fond hope that measures would speedily be adopted to enable you, without much trouble & without putting you to any expence, to have your files arranged, copied & secured so as to be preserved from danger or accident. I consider them as invaluable docu-

ments from which future historians will derive light & knowledge. I consider it as a most fortunate circumstance that through all your dangers and difficulties you have happily preserved them entire. And although the adjournment which took place last Summer and the subsequent removals since the meeting in November have prevented Congress from adopting the measure I wished, yet I trust they will at a convenient time attend to the subject, and take proper steps for preserving so invaluable a treasure.

I am now busily employed in preparations for the removal of my family to New York. If there be any thing in which I can serve you I hope you will command me. Mrs. Thomson joins in respects to Mrs. Washington.

With the most sincere Esteem, I am, Dear Sir, Your affectionate Friend & humble Servt. Cha Thomson

RC (DLC: Washington Papers).

[1] See the preceding entry.

Charles Thomson to George Washington

Dear Sir Philadelphia April 22. 1785

Mr Pine[1] who will be the bearer of this is lately from London and has distinguished himself by sundry pieces of history painting. Early in our late contest he gave a display of his genius as well as of his attachment to our cause by a piece which he designed, executed & published under the title of "An Appeal to Heaven." Animated with a desire to give further proofs of his abilities he determined to select, for his subjects, some interesting scenes in our late revolution, & with this view is come to America that he may gain a personal knowledge of the principal actors.

I need not mention his extreme desire to be introduced to you who have borne so distinguished a part and as he is pleased to think my introduction would recommend him to your particular notice I could not refuse to gratify him, especially as it gives me an opportunity of renewing the assurance of the sincere esteem & respect, with which I am, Dear Sir, Your most obedient & Most humble Servt,

Cha Thomson

RC (DLC: Washington Papers).

[1] That is, Robert Edge Pine (1730–88), the English painter, who had come to America in 1784 to undertake a series of historical paintings illustrative of the American Revolution. See *DAB;* and Washington, *Papers* (Abbot), Confederation Series, 2:508–9.

Samuel Holten to Captain Moore

Dear Sir, New York, 23d April, 1785.

I might plead multiplicity of business & real indisposition of late for my not writing before, after having receiv'd so many favors from you & your family; but be assured that I shall ever retain a lively sense of them, & hope it may, yet, be in my power to make you a like return.

I had thoughts of a journey to Philada. about this time but my health & engagements are such, that I must give it over for the present.

Mr. Shelden waits on you with this, will receive my horse & carriage, & satisfy you for your attention to the same.

Please to make my respectful compliments to your Lady, & kind love to my dear Mrs. Warner.

You will oblige me by offering My respects to Mr. Gunjon, if he is with you, but I thought I saw him at church on Sunday last, however, I might be mistaken, as he has not favored me with a visit, which I did expect if he was in this city.

I am, with particular regard & esteem, your obliged friend, & humble servant

FC (DLC: Holten Papers). In the hand of Samuel Holten, and endorsed by him: "Copy of a letter to Capt. Moore, at Princeton, April 23d. 1785."

[1] Perhaps the Captain Moore who was among the residents of Princeton in October 1783 who testified that they had rooms available for delegates if they should choose to remain in Princeton the following year. See Collins, *Congress at Princeton*, p. 196.

Samuel Holten to Benjamin Wadsworth

My dea[r sir,][1] [April 23, 1785]

[. . .] just observations, & intelligen[ce . . .] lays me under great obligations.

It gives me sensible pleasure to hear of the proceedings of the parish, & hope they will go on & prosper: And if your second deacon elect should accept, it would afford me satisfaction. Respecting such persons as are called refugees being allowed interest for monies loaned to individuals among us, durg the war, that most depend upon the Laws of the State: Congress as a sovereign power, must make the definitive treaty the rule of their conduct, & if all the states should not comply, it will naturally involve Congress in a dispute with the sovereign power of Britain, & may end in a war; but there is a great difference between what is done by the U.S. in Congress assembled, & that done by a particular state: it has not appeared to me just, that

they should recover it, but I am not fully acquainted with the laws of Masstts. upon the subject; Mr. Adams I consider as having instructions from Congress respecting the business.

Yesterday the secretary of foreign affairs laid before Congress a letter he had recd. from Don Diego de Gardoqui informing, that he was arrived at Phila. & charged with affairs from his Catholic Majesty to the United States, & that he should in a few day come forward with his commission & present himself to Congress; this I consider as a favorable circumstance, as we shall soon know the sense of his court upon some important matters: I perceive that he takes only the title of charge of affairs, that being the character in which the person representing the U.S. appears in at his court.

Congress after great deliberation, have lately passed an ordinance; respecting some part of the western territory, containing about 20,000,000 acres, a copy thereof I will do myself the honor of enclosing.

The States of N.Y. & Georgia have not yet granted the impost, & therefore, Congress are still greatly embarrassed respecting their finances, however, requisitions upon the states must be made, as it is the duty of Congress to do their part, and if the states do not comply, the members of Congress ought not to be answerable for the consequences. My kind respects are due to your lady.

I remain, with perfect consideration & esteem, your sincere friend & humble

FC (DLC: Holten Papers). In the hand of Samuel Holten and endorsed by him: "Copy of a letter to the Rev'd Mr. Wadsworth, 23d of April, 1785."

[1] For the Reverend Wadsworth, Holten's minister in Danvers, Mass., see these *Letters*, 12:329n.3, 15:405.

Rufus King to John Lowell

Dr. Sir, New York 25th Apr. 1785

I inclose for your examination the report of Mr. Secy. Jay relative to our eastern boundary.[1] I do not like it—pray shew it to those whom it may concern under the injunction of secrecy—so instructions to Ministers you very well know are held in Congress.

Your Obt. Serv, R King

RC (MH–H: bMS Am1582).

[1] For this April 21 report concerning Massachusetts' protest against Nova Scotian encroachment on her boundary, see *JCC*, 28:287–90. For the broadside of Jay's report, which may have been the form of King's enclosure, see *JCC*, 29:921.

Richard Henry Lee to Samuel Huntington

Sir, New York April 25th. 1785

The Letter that you honored me with by Dr. Lyman I received, and I hope I have served that Gentleman effectually by introducing and recommending him to the Delegate here from Georgia, who has written in the Doctors favour to the principal men in his State. I am so perfectly well acquainted with your justice and humanity, that I am very sure of success, when I recommend to your friendly care and powerful protection the cause of an innocent but injured Gentleman, and of a very worthy family. It is Mr. Charles McEvers of this City, whose property in your State has, I understand, been confiscated upon a mistaken principle that he was a british Adherent. It is most clear that a misconception of this Gentlemans Character has drawn this misfortune upon him, as appears incontestably by the proofs that he possesses of a very early attachment to our suffering friends at Boston, and by Governor Clintons letter. which out of doubt acquits him of all attachment to our former enemies. Eagle-eyed as this State is, and has been, to discern its foes; and prompt to confiscate the property of all such, it is a demonstration of the innocence of Mr. McEvers that he has not been here considered as an Adherent to the British. And what is a very remarkable truth that has come under my own observation, the warmest and most virtuous Whigs of this place are the most decided friends of Mr. McEvers, and wish to see justice done him by a restoration of his property lost in your State. Had these things been known to your wise and just Legislature, I am very certain that this misfortune would not have befallen this Gentleman, and when they shall be made known, I have as little doubt but that Mr. McEvers will receive complete retribution from an Assembly so justly celebrated as that of Connecticut for Wisdom and Virtue. I beg you Sir, to present my respectful Compliments to my much esteemed old Congressional friends Mr. Sherman and Col. Dyer, and tell them how much I wish that my advocation of Mr. McEvers course may meet with their approbation, and be supported by their Aid; and that influence which the Opinions of such men must always have upon the minds of their fellow Citizens.[1]

I have the Honor to be, with great esteem and regard Sir, Your Most Obedient & very humble Servant, Richard Henry Lee

RC (PPRF). In a clerical hand and signed by Lee.

[1] Lee sent this letter under cover of the following brief letter to McEvers of April 27. "I have the honor to enclose a letter for Mr. Huntington which I sincerely wish may be fortunate enough to avail you in the just application that you are making to the Assembly of Connecticut. If it can be in my power to serve you in any other manner, freely command me." Revolutionary War Collection, Ct.

Rufus King to Elbridge Gerry

New York 26th Ap. 1785.

I this evening received your's of the 7th April, for which accept my acknowledgements. I am surprized that I hear nothing from Mr. Lowell on the subject of the federal Court. Doctr. Johnson joins me in opinion that it will be wholly improper to think of trying the cause in June, indeed it is impossible—the Time is too short to give notice to the Judges. No commission is yet made. Mr. Rutledge has given no answer—three Judges are to be appointed, notice thereof given them, and time to receive their respective answers &c &c. I see no benefit from hurrying the Trial, but from a delay that will give sufficient Opportunity to arrange Documents, and understand the cause, benefits certainly may be expected. No minister is yet appointed to the Hague, some weeks since we Tried a ballot and the Votes were divided between Rutledge, Harrison, & Govr. Livingston—the matter subsided, and nothing is said upon the Subject.

I wrote you that Gervais had declined his appointment at the Treasury, no Election has been attempted to supply his Place. The sense of the House appears to be, to wait until they can hear whether Eveleigh of S. Carolina will accept.

Osgood & Livingston have opened their Office; Knox is also here, and in his Office—and if the states were fully represented, we might proceed with great facility in public business. Nine states only are represented; Connecticut, Jersey and Delaware are off the floor, and it is uncertain when they will be here again. New York are not represented by their former members—the Chancellor, W. Livingston, & Platt—are out, our friend J. Lawrence, and two other Gentlemen,[1] all new, supply their places. We have been this fortnight about a land ordinance—Virginia makes many difficulties—the eastern States are for actual survey, *and sale by Townships*, the Southern States for indiscriminate Locations &c. What will finally, pass if any thing does, is wholly uncertain.

Our family are all well—and desire me to urge your early return. Nelly is very pretty as the Spring opens, and Grace is lovely. I mentioned to you in a late letter their expectations from their india Kinsman—the Prospect exhilirates them. I close, or loose the Post.

Your R King

RC (NHi: King Collection).

[1] John Haring and Melancton Smith—who with John Laurance, Zephaniah Platt, and Peter Yates had been elected to Congress on March 26—were attending Congress at this time. Laurance presented his credentials and took his seat on the 27th. See *JCC*, 28:303, 308–9, 317, 29:876. According to his statements of accounts, which are located in the collections of Mr. Ronald von Klaussen (of Florida), and St. Mary of the Lake Seminary (Mundelein, Ill.), Haring claimed attendance at Congress for the periods April 11–29 and June 6–13.

Rufus King to Daniel Kilham

New York 26th. Ap. 1785

Your's of the 30th of March was received this evening—it is written in the stile of friendship, and with the most obliging expressions of attachment—accept in return my most sincere acknowlegements, and rely upon this that my friendship is founded on so long an acquaintance, and so full a conviction of ingenuous merit, that I shall not soon relinquish it.

I had heard some indistinct explanation of the publication in Mycall's Gazette that you refer to,[1] but never fully understood it. I supposed it to have been some small altercation, that was merely temporary, and not calculated to produce any lasting inconvenience. You state it as an affair that took a serious direction, and which may injure your business. I hope this idea is more the result of apprehension, then an opinion founded on facts. At any rate, the best plan is perseverance, and temper. You have near you, a number of persons of too much candor, and good sense, to support an erroneous opinion. These individuals will become dearer to you, and interesting themselves particularly in your affairs will give them an appearance, such as you could wish.

My particular friend you say remembers me—and bids you make assurances, the sincerity of which, I will not doubt—but in return say, that I reciprocate the good wishes with the *most lively attachment*—of this, it remains not to furnish a proof, it has already been satisfactorily given. You obligingly inquire of my affairs; I reply that I never have spent any period of my life with so close an application to business or with so few amusements, as since I left you. In a situation, the duties of which may subject me to public examination, & with some little ambition, I have been desirous of pursueing a Conduct, that would not hazard me in the first view, nor dishonor me in the second. As to my victim condition, that you say is reported, I assure you that there could no report be circulated concerning me that would be less true. At present I think it improper to bow to beauty, or bend to fortune—so negligent have I been on this subject, that upon my honor I assure you that I think of neither except when I think of home.

Adieu your's affectionately, R King

[*P.S.*] Pray mention me to N. Carter and other worthy friends—him you know I always thought well of, and desired his friendship.

RK

RC (NNC: King Collection).

[1] The "publication" referred to, from the *Essex Journal and the Massachusetts and New-Hampshire General Advertiser* published by John Mycall in Newburyport, Mass., has not been identified.

William Grayson to Timothy Pickering

Dear Sir, N. York 27th Apr. 1785

I receiv'd your favor; in consequence of which I shall write to Mr. Graham for the receipt which you desire. Indeed I should have done this sooner, but I have been a little indispos'd till within these three days; Before I arrived at this place, Genl Knox was elected Secretary at war;[1] he has since come here, and is now acting in his office; from what I can learn he has accepted of the appointment under a supposition that his house rent will be paid. Poor Carlton is in a distrest situation; he will shortly be out of pay and un-pensioned; I am striving to get something allowed him by way of compensation though I am afraid no great matter can be affected, as it is not among the vices of republicans to be prodigal in the article of rewarding for services which are past.[2]

Since my arrival I have been busily engaged in assisting about framing an ordinance for the disposal of the Western territory; I think there has been as much said and wrote about it as would fill forty Volumes, and yet we seem far from a conclusion, so difficult is it to form any system, which will suit our complex government, & where the interests of the component parts are suppos'd to be so different. I made a motion for Amendmts. three days ago,[3] which has nearly divided the Continent into equal moieties; the object of it was to double the quantity of surveying, & to sell the lands in townships & sections alternately; this I did under the impression that it would accomodate both the Eastern & Southern States. However this has been strongly objected to, & both sides adhere to their opinion; so that here we stick, witht. any movement either retrograde or progressive. I inclose you the draught of the Ordnance as it stands; which you will be kind enough to keep in your hands in such a manner as to prevent it from being published this being against rule. I believe it will pass ultimately in a shape very like this, at least none of the great principles except perhaps the one alluded to will be changed. By it you will observe that there is no office created by it worth your acceptance. If in the arrangement of the Post Office or any other matter any thing occurs which may be worth your notice, I will do myself the pleasure of informing you of it; and I can assure you with great truth it will give me real satisfaction to do every thing in my power towards accomplishing any object which you may have in view.

I am with my complimt. to the family, yr. Affect. frd. & most obed serv, Willm. Grayson

NB I shall thank you to inform me whether you have had any news of the bills on [. . .] & what there fate has been. Mr [. . .] is now here & I think it incumbent on me to comply with all his contracts.

W G.

RC (MHi: Pickering Papers).

[1] For Gen. Henry Knox's March 8 appointment and the condition of the war office when he assumed this post, see Elbridge Gerry to Samuel Hodgdon, February 7, 1785. See also Charles Thomson to Knox, March 9.

[2] Joseph Carleton, secretary in the war office, had never been adequately compensated for his seven years of service despite the considerable responsibility he bore, especially during his sole conduct of the office following the resignation of Benjamin Lincoln in November 1783 when he received only $1,000 a year, the same as the secretaries in the other departments. Promising Congress that he would continue his duties until the newly-appointed Henry Knox could find a suitable replacement, Carleton appealed to Congress on April 23 for "a just and reasonable compensation" for his added responsibilities as his deranged finances "prevent my returning with decency to private Life." Carleton's letter and supporting documents were referred on the 26th to a committee chaired by Grayson which recommended on June 7 that Carleton receive $1,500 a year, less what he had been paid, "for the whole of the time he was engaged in the public service untill the arrival of General Knox," but on September 27 Congress granted him only $1,000 in consideration of his "extra services." In the meantime, Knox had reappointed Carleton as secretary on May 17. See *JCC*, 28:23, 363n, 374, 453–54, 29:771; and PCC, item 60, fols. 129–32, 139–59. See also James Monroe to Carleton, November 26, 1784, note 2.

[3] This motion was not recorded on the journals, but for subsequent efforts on May 3–5 to require the sale of western lands "in townships & sections alternately," see *JCC*, 28:328–29, 335–40.

Samuel Holten to Moses Gill

Dear Sir. New York, 28th. April 1785.

Soon after my arrival at Trenton I desired the Presidents attention in procuring payment of the bill drawn by Mr Wm. Lee in your favor; & he now informs me that he is ready to pay the same with interst, but thinks it necessary that I should have an order from you to receive the money, or that you should endorse the bill; as neither of the other bills of the same tenor and date have yet been presented: he farther mentions that he must pay it agreeably to the continental scale of depreciation, & whether that will be more or less in your favor than the scale of Masstts. I am not able to say. I will enclose the bill, & shall wait to be farther honored with your directions respecting the same. I am farther informed that the only reason that has prevented the bill being honored was its not being presented.

I am desired by the President to inquire after Doctr. Isaac Foster, or his Executor, & to let him know that the horse Mr. William Lee had of him (about the time you let him have the money) will be paid for if he sends forward the bill, or note that was given for said horse; with an order to receive the money: but as I am sensible Dr. Foster is decd. & have no knowledge of his Executor; I submit it to you (knowing your disposition to oblige) whether you can't make said Executor acquainted with this matter, & if he should desire my assistance I will attend to the same.

I remain, with perfect respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

Samuel Holten to William Gordon

Dear Sir, N York 28th April, 1785.

I have been honored with your attention of the 5th & thank you for your early intelligence & hope the elections will terminate agreeably to your wishes.

Instructions respecting appointing ambassadors, I consider would be unnecessary, as my Hond. Colleague as well as myself, is, I believe, of the same opinion as Judge Sumner in that respect.

Congress have for about a fortnight been much engaged in compleating an Ordinance respectg. the western territory, but it is not yet got through, however, I think the prospect is in favor of it.

The state of NY rejecting the impost greatly embarrasses Congress as it respects our finances, however requisitions upon the states will take place but how they can comply with or when I consider as uncertain.

There is not great pleasure in being a member of Congress at this time, unless a man can bear duning very well.

Your assurances of friendship, lays me under renewed obligations; & please to accept in return the like salute.

I remain, your obliged friend, and humble servant

FC (DLC: Holten Papers). In the hand of Samuel Holten. Addressed: "Rev. Dr. Gordon."

David Howell to William Greene

Sir, New York April 29, 1785.

In the journals, which are regularly transmitted by the Secretary of Congress, you will observe the proceedings of Congress down to the 7th Instant. Since which much time has been spent on *the Requisition* & the *Land-ordinance;* neither of which have yet passed; the latter proves to be the most complicated & embarrassing Subject before Congress since peace has taken place. Infinite pains are taken by a certain sett of men vulgarly called Land robbers, or Land-Sharks to have it in their power to engross the best lands; while it is the duty of Congress to open their Land-office on terms which will at once secure the greatest possible revenue therefrom & give no undue advantage to any class of citizens, or to any district of the Foederal Union.

The public papers must have informed your Excellency that the Legislature of Georgia, after solemn argument, rejected the Impost of 5 per Cent & that the Grand jury of the County of Chatham, in that State presented the Legislature to the Supreme Court as guilty of a misdemeanor relative to the premises.[1] Whether indictment & conviction ensued has not yet transpired.

It is with no vulgar degree of satisfaction that I have it also in my power to mention that the 5 per Cent Impost has also been rejected by 13 against 7 of the Senate of this State.[2] And that the public paper of this day announces to us that the Gentleman who brought in the bill has been left out of the Senate on the late election in this City. I have been told, on good authority, that three quarters of the members of the Assembly approved of the doings of the Senate. And that the popular current sets strong throughout this State against that exploded measure.

It gives me additional pleasure to mention these facts as they justify the information & opinion I gave the Hon. the Genl. Assembly last June relative to this State, which were then controverted by persons of respectable characters.

The lands to be exposed to sale within the late purchases of the Indians are estimated I find by the best judges at about 18 millions of Acres. Another large purchase it is expected will be made in the course of the ensuing Summer. So vast is the revenue already in the power of Congress. What proofs they will give of their wisdom in the management thereof is yet uncertain.

The lands are to be quotaed to the States in proportion to the requisition for money so that a proportional quantity thereof will be sold in each of the Loan-offices in the different States. One dollar per acre in public securities will be the lowest price.

It is not in my power to say how long Congress will continue their present session, or how long your delegates may remain on the floor. I have been so much from home of late that it is my ardent wish to return: although I confess I should leave Congress with reluctance before the important business is finished. Captn. Lawton, who arrived here yesterday, informs me that he has brought me 150 dollars; this will compleat the payment of the grant made me at October session, as I presume the Bill in favour of Messieurs Hews & Anthony for the other moiety must have been paid.

Your Excellency has informed me of a grant of 300 dollars made to me at the last session of the Assembly—permit me to request that measures may be taken for making payment thereof as it will be indispensably necessary to enable me to discharge my debts here before I return. I shall draw for the same as soon as I may receive notice that my bills will be paid: I am very unwilling to draw any more at uncertainties.

After praying your Excellency to assure the Hon. the Legislature of my constant attention to their affairs & of my zeal to serve them as

well as of my gratitude for the very disting[u]ished marks of their confidence & esteeme with which I have been honored I beg leave to subscribe with the most profound respect, Your Excellencys most obedient & very humble servt. David Howell

RC (R–Ar: Letters to Governors).

[1] See William Samuel Johnson to Roger Sherman, April 20, note 4.

[2] Rufus King reported this vote as 10 against 8. See King to Elbridge Gerry, March 24, note 4.

Richard Henry Lee to Certain States

Sir, New York April 30th, 1785

I have the honor to enclose to your Excellency an Act of Congress that has been produced by a very pressing state of the public affairs.[1] Your Excellency will observe that exclusive of other important business, Congress point to two objects particularly, the requisition for the present year, and an Ordinance for disposing of lands in the western Territory. The honor and justice of the United States is much concerned in the former, and upon the wise, speedy, and effectual execution of the latter, essentially depends the future case; happiness and prosperity of the people. It is indeed true that thinner houses are compitent to the first digestion and preparation of business like this, but such is the nature of the fœderal constitution that a full Congress is necessary to the final completion of Objects great as those which are now under consideration. I am therefore, by desire of Congress, to request that your Excellency will be pleased to exert your fullest influence with the Delegates of your State to repair immediately to Congress.

I have the honor to be with great respect and esteem, Sir, Your Excellencys Most Obedient Servant, Richard Henry Lee

LB (DNA: PCC, item 16). Addressed: "His Excellency Governor Livingston [i.e., of New Jersey]. N. B. A Similar letter was written to the Governors of Connecticut, Delaware and Georgia."

[1] The enclosed April 29 "Act" directed President Lee to write to the states unrepresented in Congress because the requisition for 1785 and the land ordinance then under consideration could not be completed "without a fuller representation." See *JCC*, 28:318–19.

Charles Pinckney to Tench Francis

Sir,[1] New York April 30th. 1785

In July last I directed One thousand dollars, in December Eight hundred and eighty and in the beginning of this month Twelve hun-

dred and eighty five & 40/56 more to be deposited in the Philadelphia bank. Since which I have drawn for One hundred in favour of S House for two hundred in favour of James Hallett, two hundred in favour of Verdine Elsworth and two hundred and twenty in favour of William Samuel Johnson, in all seven hundred & twenty. As I shall not be able to go to Philadelphia for a considerable time you will oblige me by transmitting me by the post a State of my account with the bank. I am sorry to give you this trouble but as I wish to know exactly I hope you will oblige me. I remain with respect Your most obedient,

Charles Pinckney

RC (PHi: Illustrated History of the Bank of North America)

[1] Tench Francis (1730–1800), a Philadelphia merchant, was cashier of the Bank of North America. Morris, *Papers* (Ferguson), 1:109n.15

William Grayson to James Madison

Dear Sir. N. York May 1st. 1785.

I am afraid my silence since I came to this place has giv'n you some reason to suspect me to be impregnated with that vis inertiæ, which has been so often attributed to me:[1] the only apology I have to make, is that I wish'd to have some thing to write to you worth your acceptance. However as there would be some danger in risquing a farther delay, I shall give you what I have in the manner. The New England delegates wish to sell the Continental lands, rough as it runs; what I miss in quality I will make up in quantity.

All our attentions here have been for some time turned towards the hostile preparations between the Emperor & the Dutch; as it was thought the event might have a considerable influence on the affairs of the United States. The packet which arrived yesterday has brought different accounts of what is doing respecting this business; however I take the following to be nearly the truth of the case:[2] That the Emperor has only made the opening the Schelde a pretext for marching his troops into the low Countries while he has been underhandedly treating with the Elector of Bavaria for an exchange of his territories in the low Countries for Bavaria: That France has not only been privy to the negotiations but has actually countenanc'd them; While no other power has entertain'd the most distant suspicions of what was going forward: That the prince de Deux Ponts presumptive heir to Bavaria, on recieving the first notice of it, made application to the King of Prussia, supposing that old Statesman would exert himself to the utmost, to prevent Bavaria from becoming part of the domains of the House of Austria. It therefore seems to be probable that all those who wish to preserve the proper ballance of power in the Germanic

body will unite with the Prussian Monarch against this accession of weight to the Austrian scale; Should this confederacy take place in its fullest extent, it will be very formidable, & in all likelyhood produce a bloody contest before the matter is finally decided. War therefore seems to be as probable as ever although the ground of the contest may be altered. For my own part I cannot clearly find out from any informations wch. I have had, what have been the views of the Court of France; they seem to have departed from their antient principles in assisting the Austrian family to increase their power; 'tis true they adopted this system in the last reign, but then the French Statesmen say, that nothing done during that period ought to be quoted from their history. If the Queen of France has drawn in the Ministry to countenance the measures of her brother it is an evidence of her great influence in the Governmt. but from what appears at present, it is no proof of the cridence of the public-councils as it is obvious if France keeps up large standing armies, she must neglect her marine by which she will risque her foreign possessions whenever she happens to be engaged in a war with G. B.

The Parliament has so lately sit, that little has yet transpired; the Minister is to bring forwd. a plan for a Parliamentary reform, which it is thought will require all his interest & ability to support.

The Wallachians who were so oppress'd as to be drove into a state of open resistance are on the point of being subjugated; they are in number about seven hundred thousand; & I heartily wish they were all *here.*

Congress are engaged in ascertaining a mode for the disposal of the Western territory; I send you the first draught as reported by the Grand Commee. also a second edition with amendments in Congress.[3] The matter is still under consideration, and other alterations will no doubt take effect. An amendment is now before the house for making the Townships 6 Ms. Sqe. & for dividing those townships by actual surveys into quarters of townships, marking at every interval of a mile (in running the external lines of the quarters,) corners for the sections of 640 acres; Then to sell every other township by sections: The reservation (instead of the four corner sections,) to be the central section of every quarter; that is to say the inside lot, whose corner is not ascertained:[4] Whether this will be carried or not I cannot tell, the Eastern people being amazingly attached to their own customs, and unreasonably anxious to have every thing regulated according to their own pleasure.

The construction of the deed of cession from Virga. has taken up four days, & at length it is agreed not to sell any land beween the little Miami & Scioto untill the conditions respecting the Offs. & soldiers are complied with.[5] Some Members of Congress think they have a right to have the land laid off for the Offs. & soldiers in such manner as they please & by their own Surveyors, provided they give good land

& square figures: others are willing it shall be laid off in the same manner as the rest, & the Offs. & soldiers to chuse by sections. If the State insists on the right of surveying agreable to their own laws I shd. suppose that Congress could have no objection to appointing Commrs. for deciding that question as well as all others that might arise respecting the Compact.

Mr. King of Massachusets has a resolution ready drawn which he reserves till the Ordinance is passed for preventing slavery in the new State.[6] I expect Seven States may be found liberal enough to adopt it.

Seven hundred men are voted for protecting the settlers on the frontiers, for guarding the public stores & for preventing unwarrantable intrusions on the lands of the U. S.[7]

I inclose you a plan for altering the 9th article of the confederation,[8] also a newspaper informing what the people of Boston are about.[9] The requisition for the present year is before Congress; one article to wit 30,000 dollars for fœderal buildings at Trenton, I objected to, & was supported by the delegates of Maryland, Delawar, & New Hamshire. N. Carolina was divided. Unfortunately for me the rest of the delegates for our State do not think as I do; (This is *entre nouz*). I shall notwithstanding do every thing in my power to frustrate the measure. We shall in all probability get it struck out of the requisition, because nine States will not vote for it; I understand however that it is intended to get seven States to vote for the sum out of the loans in Holland supposing that as a hundred thousand dollars were voted at Trenton by nine States, generally, that seven can direct the particular appropriation. This matter I have not yet considered, neither do I know how it will turn out on investigation however I hope I shall find means to avoid it for the present year, & I hope by the next the Southern States will understand their interests better.[10]

Congress have refused to let the State discount any part of the monies paid for the Western territory, out of the requisitions for the prest. year, & I believe if they don't help themselves, they will never find Congress willing to discount.[11] In the mean time they will sell the lands. A treaty is directed to be held with the Barbary States to purchase their friendship. Treaties are also to be held with the Cherokees, Chickesaws &c—also, with the Western Indians shortly. I am sure you are surfeited—therefore conclude with great sincerity, Yr. Affect. friend & Mo. Obed. Serv. Willm. Grayson

RC (DLC: Madison Papers).

[1] That is, hypochondria.

[2] A February 9 dispatch from the joint commissioners with seven enclosures was read in Congress on May 2. The five enclosures referred to Secretary John Jay for translation on May 5 were returned and read that day. See *JCC*, 28:324n, 341n; PCC, item 80, 1:157, item 116, fols. 160-63, item 185, fols. 123–24, item 190, fol. 36; and *Diplomatic Correspondence, 1783–89*, 1:545–53,

[3] See *JCC*, 28:251–56, 298–302; and Grayson to Washington, April 15, note 1.

[4] Grayson did not actually offer these proposals to Congress until May 3. *JCC*, 28:327–29.

[5] For the April 28 agreement not to sell lands northwest of the Ohio River between the Miami and Scioto rivers until the claims of the Virginia Continental troops had been satisfied, see *JCC*, 28:258–61, 303, 309–10, 316–17.

[6] See Rufus King to Timothy Pickering, April 15, note 2.

[7] See Charles Thomson to Certain States, April 12, note 1.

[8] See *JCC*, 28:201–2.

[9] See Rufus King to Elbridge Gerry, this date, note 1.

[10] Although Congress had resolved on December 20, 1784, that a sum not exceeding $100,000 be set aside for the construction of federal buildings, the March 31 grand committee report on requisitions recommended only $30,000 for that purpose and Grayson's April 5 effort to strike even that amount was successful. The following day, however, Congress reinstated the sum and recommitted the report. When reconsidered on April 14, the item for federal buildings was allowed to stand, just as it was when the report was again considered on July 18. See *JCC*, 27:696, 28:215, 232–33, 237–38, 264, 29:543. For continuation of this issue, see Grayson to Madison, August 21, note 6.

[11] See Virginia Delegates to Patrick Henry, April 2, note 2.

William Grayson to Timothy Pickering

Dear Sir N. York May the 1st. 1785.

Since writing to you,[1] I have recieved a letter from Graham, informing me, he is afraid of an execution against him on the judgments, & requests the receipts of the Pl[ain]t[iff] & the Assignee, may be sent to him.

I shall thank you to inclose them by the first oppy—directing for him at Dumfries. In answer to his letter, I have desired him to send the receipt which you desire.

We have nothing new since except that a negotiation is going on between the Emperor & the Elector of Bavaria, to exchange Bavaria for the low countries.

This it is thought (far from producing peace) will have a direct tendency to bring on war immediately though perhaps upon different grounds. France and the Emperor have it seems been maneuvering together; the Dutch have also had a finger in the pye. I remain, yr. Affect. fd. & Most Obed. servt, Willm. Grayson

RC (MHi: Pickering Papers).

[1] See Grayson to Pickering, April 27, 1785.

Rufus King to Elbridge Gerry

My dear Sir New York 1st. May 1785

This is Sunday Evening, we have been adjourned since Friday. A Packet yesterday arrived from L'Orient in thirty days; the president in-

forms me that there is a joint Letter from the commissioners on the progress of their commission. I don't yet know the contents—Tomorrow will possess me of it. From private Letters of authority, I fear little will be done with England, Spain, or the Emperor—embarrassments *as to place* perplex at present—there may be real difficulties, but they are as likely to be ostensibles.

I find that the ideas of the commissioners touching the sum necessary to treat with the Barbary powers, are far more extensive than those entertained by Congress. Whether the sums in their power will be sufficient to begin the Treaty with, or whether they will do nothing until they state their sentiments to Congress, I cannot form an Opinion. I am inclined to suppose they will commence a negotiation—the danger to the American ships from these Robbers is real, but for mercantile purposes magnified.

The resolves of Boston have reached us, and the flame will communicate from state to state.[1] There is a report this Evening that a ship is comeing up the harbour, which has fled from Boston; if so I believe she will not better her condition. The Whig merchants will make opposition to the landing of her Goods.

If this well founded uneasiness, is attended to by wise, and moderate men, in the several States, it may be improved to purposes the most beneficial, to our national Government, as well as to our national commerce. You understand me, without my adding. Too much precipitancy may injure us—moderation & delay have ever served our true interest. A fresh proof of this sentiment, it gives me pleasure to mention to you; you remember the anxiety the Marquis discovered at Trenton concerning the demand made by his Court,[2] for satisfaction for a violation of national law in the affair at Philadelphia.

We now have it in our power to conduct the business in a mode consistent with our own honor, & satisfactory to the other party.

I cannot be particular—the Delay of a decision has been very convenient.

Mr. Lowell wrote me under date of the 25th of April, mentioning the intention of the Agents to come on about the 7th of this month.

I conclude that they had not received my two last letters; I think I wrote you to the same purpose. No commission is yet made out—the number of Judges is incomplete—no supply can be made until you come on. No answer is yet returned from Mr. Wythe.

In short there is no possibility of trying the cause in June. I think the business is in a good train—but Doct. Johnson joins me in Opinion that the Trial must be postponed until the fall—the Agents of New York are of this Opinion likewise.[3]

I shall write again to Mr. Lowell to this purpose by this post—pray see him and explain the situation.

By the bye, the Secretary has given me no Notice of my appointment as one of the Agents. I don't understand the reason. Should I choose to attend the trial, I have no authority.

I observe by the papers that Dalton is not included in the list of Senators for Essex—what is the reason? Did he decline?

Your Letters I believe have all come to hand, but the badness of roads detained them long on their way—their number I cannot ascertain now, Mr. Seymour is out with my keys, and I cannot come at my Letter files. I hope you will soon be with us—indeed I earnestly wish you back; I should have a little respite was you here, as well as very great pleasure in your society. Never in my Life have I been so closely confined as since I have been in this City—you know very well my situation—constant watching fatigues the strongest & most experienced—what must then be my condition?

Our family are all well. Nelly wishes your return—Mrs. M. & Grace request it as soon as you can consistently.

Mr. Jefferson inclosed to Monroe the Pamphlet that I now send you,[4] with an observation that you was in his Debt a Letter or two.

Adieu my dear friend—believe me affectionately your,

R King

RC (NHi: King Papers).

[1] American merchants were finding themselves increasingly unable to compete with their British counterparts since the restoration of peace, in part because the latter had unrestricted access to American markets while British navigation acts severely limited American trade with the former mother country. At a meeting at Faneuil Hall on April 16, the merchants of Boston resolved to seek the "immediate interposition" of Congress for their relief, and to appeal to merchants throughout the states to work in behalf of augmenting the power of Congress to regulate trade. A petition signed by 15 prominent Boston merchants was consequendy dispatched to Congress on April 22. According to Secretary Charles Thomson's endorsement, it was read May 11 and ordered "to lie til Congress shall take into consideration the report of comee. on An Application to the States for enlarging the powers of Congress." PCC, item 42, 1:346–50. The petition was signed by Jonathan L. Austin, Joseph Barrell, Samuel Barrett, Samuel Breck, Caleb Davis, John Hancock, Stephen Higginson, Charles Jarvis, John Coffin Jones, Perez Morton, Samuel A. Otis, Edward Payne, Joseph Russell, Thomas Russell, and William Tudor. The resolves adopted at the April 16 meeting were printed in a number of Boston papers, appearing in the April 18 issues of the *Boston Gazette* and the *Independent Ledger,* and the April 21 issue of the *Continental Journal and Weekly Advertiser.*

For a discussion of the orchestration of a merchant response to the trade restrictions being experienced in a number of states, see Gouverneur Morris to John Jay, September 25, 1783, headnote, Morris, *Papers* (Ferguson), vol. 8 (forthcoming).

[2] Although "the Marquis" was identitfied as Lafayette in Edmund C. Burnett's *Letters,* 8:108 (whose text was taken from King, *Correspondence* [King], 1:93), King is undoubtedly referring to the protest of the French court concerning the assault of Charles Julien Longchamps on the marquis de Barbé-Marbois, for which see Thomas Mifflin to the chevalier de La Luzerne, May 31, 1784, note 2; and William Henry to George Bryan, February 26, 1785, note 2.

[3] See the following entry.

[4] A reference to Jean Baptiste Dubucq, *Le Pour et le contre sur un objet de grande discorde et d'importance majeure: convient-il à l'administration de céder part ou de ne rien céderaux étrangers dans le commerce de la métropole avec ses colonies?* (London: [*i.e.*, Paris], 1784), for which see Jefferson, *Papers* (Boyd), 7:640–41.

William Samuel Johnson and Rufus King to John Lowell, Theophilus Parsons, and James Sullivan

Gentlemen New York 2d May 1785.

For reasons stated in a Letter from Mr. King to Mr. Lowell in last month,[1] it has become impossible to try the cause between Massachusetts & New York in June. The messenger has not yet returned from Mr. Wythe.

In the Trial between Pennsylvania and Connecticut, great inconvenience arose to the latter, from want of Time previously to arrange the necessary Papers and Documents. We hope the Trial between Massachusetts and New York will not be subjected to similar disadvantages. We can discover no inconvenience from a Delay of the Trial till autumn; the interval between this time and that will furnish opportunity for a full investigation, and proper arrangement, of the cause.

With due consideration we have the honor to be with respect your obedient servants, Wm. Saml. Johnson
Rufus King

RC (MH–H: bMS Am 1582). Written by King and signed by King and Johnson.

[1] See King to Lowell, April 14.

Charles Pinckney to Joseph Howell

Sir N. York May 2. [17]85

The bearer Capt Elholm who was an officer in the late Count Polaskie's legion until the reduction of that Corps will wait upon you for the purpose of settling his account agreeable to a resolution of Congress of the 18 Ulto. which he will shew you, and by which you will find you are authorized to settle and adjust his account, and that the resolution of the 22d of January 1784 respecting General Armands corps is made to extend to him.[1] As this Gentlemans merit and services entitle him to particular attention the delegates of South Carolina will esteem themselves obliged by your settling his account as soon as possible, as the Captain is under the necessity of returning to the southward in a few days and only goes to Philadelphia for this purpose. Should the Muster rolls or other documents necessary for settling the accounts of that Corps have been lost during the war; We conceive

there are resolutions of Congress upon that subject to guide you in the settlement of accounts. Or should any other difficulties occur to prevent your being able to adjust them—I shall be obliged to you to write me upon the subject by the return of Capt Elholm stating them fully together with your opinion what he should do or where he should apply to have them settled as this alone brought him from Carolina and it would be extremly inconvenient and expensive to him to remain longer at the northward than was absolutely necessary. Your attention to this affair will very much oblige the delegates of South Carolina and particularly your humble Servant,

Chas. Pinckney[2]

Tr (DNA: Record Group 93, v. 136).

[1] Capt. Augustus Christian George Elholm, who had served as a lieutenant with Pulaski's Legion, 1778–80, and as a captain with the state troops in South Carolina, 1781–83, began appealing to Congress in the spring of 1784 for the balance of the pay due him, enlisting the support of Benjamin Guerard, William Moultrie, Charles Pinckney, David Ramsay, and John Rutledge. On March 15, 1785, Congress finally appointed a committee consisting of William Samuel Johnson, Rufus King, and Abiel Foster to review his case but their March 21 report was recommitted. On April 4 Pinckney moved in Congress that Elholm's account be referred to the paymaster general for settlement and that South Carolina advance him $1,000 on account of the United States to be deducted from the next requisition. And on April 9 Elholm furnished the committee with several testimonials including his own "Narrative of an Enterprize in Seventeen hundred and Seventy nine" describing the capture of more than 150 British soldiers near Savannah. On April 18 Congress accepted the committee's second report by ordering Elholm's accounts to be settled, directing that the resolution of January 22, 1784, pertaining to Armand's corps and other foreign officers be extended to him, and requesting South Carolina to advance him one-fifth the balance due him, to be charged to the United States. Finally, on May 11 Congress directed the secretary at war to issue Elholm "a certificate fully expressive of his capacity and services," in testimony to "his bravery, integrity, abilities and industry in the service of the United States." See *JCC,* 26:42–44, 28:163n, 182n, 229, 231n, 274, 347; PCC, item 167, fols. 193–237; and Heitman, *Historical Register,* p. 166.

[2] Pinckney also wrote this day to the commissioners of the South Carolina treasury, explaining that since the legislature had recently authorized them "to advance to the delegates in Congress their salaries half yearly," he had drawn £300 sterling on them in favor of New York merchants James Buchanan & Co. "Unprocessed Material," 1981, ScCoAH.

Richard Henry Lee to George Washington

Dear Sir, New York May 3d. 1785

I have long had a letter prepared for you in answer to your last[1] favor which I have kept for the honorable Mr. Sitgreaves to be the bearer of, as he proposed to visit you on his return to North Carolina;[2] and the more especially as his stay has been occasioned by the necessity of seeing the very important ordinance passed for selling

the western lands, which I wished you to have in its perfected state. The principal design of this letter is, to introduce to you Mr. Graham, and his Lady the justly celebrated Mrs. Macaulay Graham,[3] whose reputation in the learned world and among the friends to the rights of human nature is very high indeed. Her merit as an Historian is very great, and places her as an Author in the foremost rank of writers. I am well pleased to find that she, as well as all other judicious foreigners, think themselves when in America, however distant from Mount Vernon, obliged to pay their respects to you. I believe that this has been her only motive for going so far South as Virginia. We are amused here with an account that does not indeed come officially to us, but however, in such a way as to merit attention. It is, a plan of the Emperor of Germany, which seems calculated to quiet his quarrel with Holland, altho perhaps it may not prevent a war in Europe. He is said to have made a treaty with the Elector of Bavaria, by which he exchanges his Netherland dominions for those of Bavaria, and transfers with the exchange, all his rights and claims upon Holland: reserving Namure and Luxembourg with a district of country around, as a douceur to France for obtaining the consent of that Court to the exchange. The Bavarian dominions being much more contiguous to the Austrian than those of the Netherlands, must greatly increase the Emperors power by a concentration of his force, heretofore so much divided, as to render the Netherlands of no great aid in case of war. This however, by increasing the Austrian power, must of course excite greatly the jealousy of Prussia in particular, whose King will propably risk a war rather than see his rival thus strengthened. Holland in the mean time will be relieved, by injurious claims being transferd from a strong to a weak land, and the Emperor may find himself brought to a more equal contest by combating one, instead of three powers lately combined against him. What may be the issue of the new System, time must develope. I wish that I may be enabled by Mr. Sitgreaves to furnish you with the final sense of Congress upon the momentous business of selling the western lands, in doing which, the first and greatest object seems to be, the discharging effectually the great weight of debt that the war has created, and which obstructs so effectually every arrangement for future security.

I have the honor to be, with sentiments of the sincerest respect and esteem, dear Sir Your most obedient and very humble servant

Richard Henry Lee

RC (DLC: Washington Papers).

[1] That is, Washington's letter of March 15, for which see Lee to Washington, April 18, note 1.

[2] See William Grayson to Washington, May 5?, note 6.

[3] For other letters introducing the well-known historian and essayist Catharine Macaulay Graham (1731–1791) and her husband William, who arrived at Mt. Vernon June 4, see Washington, *Papers* (Abbot), Confederation Series, 2:533n.3. For her reputation in America, see Paul H. Smith, comp., *English Defenders of American Freedoms, 1774–1778* (Washington: Library of Congress, 1972), pp. 107–10.

William Samuel Johnson to Joseph Platt Cooke

Dr Sr. N York May 4th 1785

Our situation here is rather disagreeable. There are only 9 States in Town, seldom more than 8 often but 7 upon the floor, even when there are 9 nothing important can pass; you are sensible without Unanimity, which is not much to be expected in any case. The Land Offe. Ordin[anc]e about which warm & unexpected disputes have arisen is not pass'd, the Requist'n not even taken up. They can neither of them pass with 9 States. Business languishes therefe. & Gentn. are uneasy. Mr. Strong is not arriv'd nor do I hear of him.[1] I am of little Use here I have therefe resolv'd to take this Oppy. to visit my Family. I shall set out tomorrow, prepared however & determin'd (tho' it would be of particular service to my private affairs to go on to Hartfd.) to return here the Moment it can be of any Utility. In this situation of Affairs I submit it to you whether it will not be of more importance for you to return here with me next week than to go as I presume you propose to Hartford. The call this way is certainly strong. If you concur in this Idea I will meet you at Fairfield on Tuesday or Friday of next week as you shall appoint. If on the other hand you think it more eligible to go on to Hartford, I beg you will come by way of Stratford that we may concert the best measures we can for obtaining a full representation of the State & that I may know how best to regulate my own Conduct for the public service. At any rate I beg a line from you as soon as possible acquainting me what I may expect & am with the sincerest respect & Esteem, yr. most obedt. & affecte. & humble Servt.

[*P.S.*] Pressing Lettrs are gone to Connt. & the other Unrepresentd. States to send on their Deligates.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] That is Jedediah Strong, who had been elected a delegate May 13, 1784, but never attended Congress.

Cooke had explained in a May 2 letter to Johnson that upon his return to Connecticut he had written to Jonathan Sturges "pressing upon him the necessity of his immediate attendance" to keep Connecticut represented in Congress. As he was about to set out for Hartford, he would use the opportunity to urge "some other Gentleman . . . to join you very soon." Johnson Papers, CtHi.

Cooke himself returned May 16 (*JCC*, 28:361); Sturges did not attend Congress until 1786.

Richard Henry Lee to John Fitzgerald

Dear Sir, New York May 4th. 1785

Your favor of April the 20th enclosing a bill on Boston for £200 our currency is this moment come to hand[1]—I will endeavor to dispose of it in this City. I thank you sir for your obliging offer of subscribing to the Potomac navigation for me, but as I hope to pass thro Alexandria in June or July when Congress adjourns—I will suspend my subscription until I have the pleasure of seeing you. We have no news here of any consequence. The Emperors quarrel with the Dutch seems to be quieted, but it is not improbable that a war between him & Prussia will take place. Congress has taken the most effectual steps in their power to quiet the Barbary Pirates, so as to prevent their hostilities upon our Commerce.

I am Sir, Your most obedient humble Servant,

Richard Henry Lee

RC (Creighton C. Hart, Kansas City, Mo., 1974).

[1] Lee had also written the following letter, addressed "Col. Fitzgerald, Merchant in Alexandria, Virginia," on April 27. "Your letter to me enclosing a packet for Mr. Storey I replied to by the next post after I received it, since which I have not been favoured with any other letter from you. My son, Mr. Thomas Lee of Dumfries, has given me reason to have expected for the two last posts a remittance from you of two hundred pounds our currency, but your silence on this head gives me apprehension that there is some mistake, or that your letter may have miscarried. Be pleased to let me hear from you on this subject. The slow arrival of the packets leave us here without any news foreign, and the domestic is in no ways interesting." *Historical Magazine* 7 (June 1863): 193–94.

Charles Thomson's Memorandum Book

[May 4–30, 1785]

May 4th. Ordered That the papers belonging to Mr. de Neufville which was in the Hands of Congress, be delivered to the said Neufville and a receipt taken for the same.[1]

Ditto 5th. Ordered that the injunction of Secresy is taken off, of the Letters No 1, 2, 4, 6 & 7 which came enclosed in a Letter of the 9th Feby. 1785 from Messrs. Adams, Franklin & Jefferson, so far as relates to free ports.[2]

Transmitted to Mr. Monroe a Copy of the Translation of a Letter No 6 from the Chargé des Affaires of the King of Naples.[2a]

[May 8th.][3] Transmitted to Mr. Monroe a Copy of a Treaty conclu[d]ed at Fort Stanwix—Copy of a Treaty conclu[d]ed at Fort McIntosh between the Commissioners plenipotentiary of the United States and the Wiandot and Delaware Nations of Indians—and Re-

solves of Congress respecting Treaties to [*be*] made with the Northern and Southern Indians.[4]

Transmitted to Mr. King a Copy of the above.

13th. Delivered to the Secretary for foreign affairs a complete sett of the Journals of Congress from 1775 to 1784 inclusive as per Receipt on the file.

20. Delivered to Mr. Ramsay a Compleat sett of the Journals of Congress from 1775 to 7th April 1785 inclusive (1780 except[ed]).

Delivered to Mr. Burrell Commissioner for the Commissaries department, Journals of Congress for 1782 to the 7th of April 1785 inclusive.

Delivered to the Comptroller the proceedings of Congress from the first Monday in November 1784 to the 7th of April 1785 and Committee of the States.

21st. Transmitted to Mr. Houstoun a Letter directed to Genl. McIntosh with a Commission enclosed authorizing him to Treat with the Southern Indians—which he is to forward.[5]

Transmitted to Mr. Spaight Copy of the memorial of the inhabitants who call themselves the State of Franklin.[6]

Transmitted to Mr. Williamson copy of a resolve of Congress passed June 1784 respecting the monument of Genl. Montgomery—and a Motion of Mr. Vining passed the 29th April 1785.[7]

23d. Transmitted to George Augustus Christian Elholm 3 Copies of a resolve of Congress passed the 11 May 1785 respecting his abilities and services in the United States.[8]

Delivered to the Board of Treasury a Journal of Congress for the year 1777.

Delivered to Mr. Kean the Journals of Congress from 1775 to 7th April 1785 (1780 excepted).

27th. Delivered to Mr. Long Copies of the last Indian treaties, with the resolves of Congress respecting treaties to be held with the Northern and southern Indians.[9]

Transmitted to Mr. Spaight Copy of the proceedings of Congress respecting the Acts of the State of North Carolina Ceding Western Territory to the United States.[10]

30th. Transmitted to the Governor of Newhampshire an Act of the United States for laying out into distinct States the western territory ceded to the Union by the individual States—an ordinance for ascertaining the mode of disposing of lands in the western Territory, and subsequent measures taken for carrying the ordinance into effect, with a letter accompanying the above.[11]

Transmitted to the Governor of Massachusetts the same as above mentioned.

Transmitted to the governor of Rhodeisland as above.

Ditto Governor of Connecticut.

Ditto Governor of New York.

Ditto Governor of New Jersey.

Ditto President of Pensylvania.

Ditto Governor of the State of Delaware with an Ordinance for the regulation of the Office of the Secretary of Congress.[12]

Ditto to Governor of Maryland.

Ditto to the Governor of Virginia.

Ditto to the Governor of North Carolina, and a recommendation to the State.

Ditto the Governor of South Carolina same as Virginia by Mr. Pinckney—a Letter to Mr. Tate.

Transmitted to the State of Georgia the same as Virginia, by the Honorable Mr. Houstoun.

Transmitted to Mr. Nathaniel Adams an Ordinance for ascertaining the mode of disposing lands in the Western territory and his appointment as Surveyor.[13] Duplicate 17th June.[14]

Ditto to Mr. Rufus Putnam Do. Duplicate 17th June
Ditto to Mr. Caleb Harris Do. Ditto 17th do
Ditto to Mr. William Morris Do.
Ditto to Mr. Adam Hoops Ditto.
Ditto to Mr. James Simpson Do.
Ditto to Mr. Alexander Parker Do. Duplicate 17th do
Ditto to Mr. Absolam Tetam [Tatum] by Mr. Spaight 17th do
Ditto to Mr. William Tate by Mr. Pinckney 17th do

MS (DNA: PCC, item 181). In the hand of John Fisher. A continuation of Thomson's Memorandum Book, April 5–29, 1785.

[1] See *JCC*, 28:339n.

[2] See *JCC*, 28:341n. A receipt signed May 8th by Robert Pemberton, a clerk in the War Office, for "a paper indorsed Military ideas on Peace Establishment by Baron Steuben, for the use of the Secretary at War to be returned," follows at this point in the manuscript.

[2a] For the chevalier de Pio's January 22 letter to the American commissioners, see *Diplomatic Correspondence, 1783–89*, 1:549–50.

[3] Ditto marks appear at this point in the manuscript, which apparently refer to the immediately preceding May 8th receipt rather than to the previous regular entry of May 5th.

[4] See *JCC*, 28:160–62, 180–81, 195–96, 423–26.

[5] See Thomson to Lachlan McIntosh, May 18, 1785.

[6] See the enclosure in Samuel Hardy to Patrick Henry, January 17, 1785.

[7] See *JCC*, 27:504–5, 28:321.

[8] See *JCC*, 28:347; and Charles Pinckney to Joseph Howell, May 2.

[9] See note 4.

[10] See *JCC*, 28:382–87; and Thomson to Richard Caswell, May 28.

[11] See Thomson to Certain States, May 28.

[12] See *JCC*, 28:212–14.

[13] See Thomson to the Continental Surveyors, May 28.

[14] At this point in the margin Fisher later wrote "declined" to signify Adams' response to his appointment as one of the Continental surveyors; and opposite the names of Rufus Putnam, William Morris, Adam Hoops, and James Simpson he wrote "accepted."

William Grayson to George Washington

Dear Sir. New York May [5?] 1785.[1]

I have recieved your letter of the 25th of Aprill,[2] for which I am much oblig'd to you; I am sorry for the melancholy occasion which has induc'd you to leave Mount Vernon, and for the affliction which the loss of such near relations must involve Mrs. Washington in.

The Ordinance for disposing of the western territory has been under consideration ever since I wrote you last[3] & has underwent several alterations, the most considerable of which is that one half the land is to be sold by sections or lots, & the other half by entire Townships; & the dimension of each township is reduc'd to six miles; I *now* expect the Ordinance will be completed in a few days, it having the opinion of most gentlemen that it is better to pass it in it's present form nearly, than to delay it much longer & incur the risque of losing the country altogether. As soon as it is finished I shall do myself the honor to inclose you a copy,[4] and though it will be far from being the best that could be made, yet I verily believe it is the best that under present circumstances can be procured. There have appeared so many interfering interests, most of them imaginary, so many ill founded jealousies & suspicions throughout the whole, that I am only surpris'd the Ordinance is not more exceptionable; indeed if the importunities of the public Creditors, & the reluctance to pay them by taxation & the direct or implied had not been so great I am satisfyed no land Ordinance could have been procured, except under such disadvantages as would in a great degree have excluded the idea of actual settlements within any short length of time; This is not strange when we reflect that several of the States are averse to new votes from that part of the Continent & that some of them are now disposing of their own vacant lands, & of course wish to have their particular debts paid & their own countries settled in the first instance before there is any interference from any other quarter. With respect to the different places of sale, it is certainly open to the objections you mention, but it was absolutely necessary to accede to the measure, before we could advance a single step. Since the receipt of your letter I have hinted to some of the members the propriety of altering this part, but find that the idea of allowing the Citizens of each State an equal chance of trying the good lands at their own doors, was one of the strongest reasons with them for consenting to the ordinance. As to the individual states interfering in the sale, it is guarded against; and in case the loan Officer who is responsible only to Congress cannot dispose of the land in a limited time, it is to be return'd to the Treasury board: With re-

spect to the fractional parts of Townships the Ordinance has now provided for all cases which can occur, except with respect to the Pensylvania line—The Course of the new State from the Ohio will be due North, and the dispute with Pensylvania will be open to discussion hereafter. I am sorry to observe that throughout this measure, there has been a necessity for sacrificing one's own opinion to that of other people for the purpose of getting forward. There has never been above ten States on the floor & nine of these were necessary to concur in one Sentiment, least they should refuse to vote for the Ordinance on it's passage. The price is fix'd at a dollar the acre liquidated certificates, that is the land is not to be sold under that; The reason for establishing this sum was that a part of the house were for half a dollar, and another part for two dollars & others for intermediate sums between the two extremes, so that ultimately this was agreed upon as a central ground. If it is too high (which I am afraid is the case) it may hereafter be corrected by a resolution.

I still mean to move for some amendments which I think will not only advance the sale, but increase the facility of purchasing to foreigners, though from present appearances I own I have but little hopes of success.

After this affair is over, the requisition for the current year will be brought forward. The article of 30,000 dollars for the erection of foederal buildings at Trenton I have already objected to, & shall continue to oppose by every means in my power, as I look upon the measure to be fundamentally wrong,[5] & I am in hopes nine States cannot be found to vote for it; should those in opposition to the measure be able to put off the execution for the present year it is to be expected that the Southern States will open their eyes to their true interests & view this subject in a different light. What I at present fear is, that failing to get this article allowed in the requisition they will attempt to draw the money from Holland by a vote of seven States inasmuch as a hundred thousand dollars were voted at Trenton for that purpose although no particular fund was assigned. I own this matter has giv'n me some disgust, as I see an intemperate ardor to carry it into execution before the sense of the Union is known; and I have no doubt that some gentlemen have come into Congress expressly for that purpose.

I take the liberty of introducing Mr. StGreave[6] a delegate from North Carolina a gentleman of great worth who is travelling through our State to his own Country. He will he very happy to communicate to you the news of this place. I inclose you the report of a Comme. for altering the first paragraph of the 9th article of the confederation,[7] & which embraces objects of great magnitude, & about which there is a great difference of sentiment.

I have the honor to be, with the highest respect, Yr. Affect. frd. & Most Obed. sert., Willm. Grayson.

RC (DLC: Washington Papers).

[1] Although Grayson left the day of the month blank, this letter was probably written on May 5 after Congress, which was considering the land ordinance, agreed that "one half the land is to be sold by sections or lots, & the other half by entire townships," but before Congress took up the following day one of the amendments that Grayson told Washington "I still mean to move for." Moreover, Grayson's motion to reduce "the dimension of each township . . . to six miles," which had been defeated on May 3, had been incorporated into the approved second reading of the ordinance on the 5th and was part of the language of the ordinance when Grayson offered his May 6 amendment. Thereafter the land ordinance was suspended from active consideration until May 18. See *JCC*, 28:327, 335–39, 342–43, 365. It is also probable that Grayson wrote this letter the same day he penned the following brief May 5 letter of introduction to Washington: "Mr King one of the delegates of Massachusets bay, & a gentleman of great worth has particularly requested me to introduce to you, Mr Prince & Mr Darby, the former a Clergyman of amiable character, the latter the son of a respectable Merchant: They are travelling to Virginia & have a desire of calling at Mount Vernon." Washington, *Papers* (Abbot), Confederation Series, 2:539. See also note 6 below.

[2] For which see ibid., pp. 519–21.

[3] That is, on April 15.

[4] Grayson honored his commitment with a brief letter on May 27: "The Ordinance for the disposal of the Western territory was pass'd three days ago, & I take the earliest oppertunity of inclosing you a copy." Washington Papers, DLC. The ordinance had of course passed on May 20, not "three days ago," but the 500 copies run off by John Dunlap were not available until May 26. See *JCC*, 28:375–81, 29:923.

[5] See Grayson to James Madison, May 1, note 10.

[6] John Sitgreaves, who carried this letter and two from Pres. Richard Henry Lee, last attended Congress on May 6, apparently leaving New York on the 9th. See *JCC*, 28:343–44; Lee to Washington, April 18 and May 7; and Rufus King to Elbridge Gerry, May 8.

[7] See *JCC*, 28:201–5.

Samuel Holten to Thomas Cushing

Dear Sir, New York, 5th May 1785.

I have rec'd your kind & polite address you did me the honor to write the 13th ultimo. The Assembly of N.Y. are up without grantg the impost and I have no reason to think, that Congress being in this city, has had a tendency to obtain it or I might have said, that some of their members being here, has not been a means of forwarding a compliance. You signify a wish to be informed whither a commercial treaty between the U.S. & G.B. is likely to take place; I can only say that we have persons in Europe fully authorized to treat upon the subject, & that I think it most likely they are now at the court of London for that purpose; yet I have doubts whether such an event will take place at present. The late proceedings of the good people of Boston gives us some concern here,[1] least they may carry the matter too far, I wish they could be prevailed upon to wait 'till the several states shall have given Congress powers to counteract the British in their commercial plans; which you may be assured Congress would attend to immediately.

An ordinance for ascertaining the mode of disposing of Lands in the western territory, has taken up much time in Congress of late & it yet remains uncertain when it will get through, but I believe it is the expectations of the members that it will be passed upon in a few days.

I have the honor to be, with perfect consideration & respect, your most obedt servant

FC (DLC: Holten Papers). In the hand of Samuel Holten. Addressed: "His Honor Thomas Cushing esqr."

[1] See Rufus King to Elbridge Gerry, May 1, note 1.

James Monroe to James Madison

Dear Sir New York May [5?]. 1785[1]

Your favor of the 12th of April accompanied with the cypher I receiv'd yesterday.[2] The appointment of Mr. Adams to the Ct. of G. B. was soon afterwards succeeded by that of Mr. Jefferson to that of France. Their commissions have been some time since forwarded & before this they are no doubt station'd at their respective courts. The removal of the former gave uneasiness to Mr. V[a]n Berkell but as it was immediately resolv'd to appoint a successor, it hath probably abated. Govr. Livingston, Rutledge, & R. H. Harrison C. J. of Maryld. are in nomination.[3] {Great Britain}[4] is still possess'd of the {posts} [on] the {lakes nor have we reason to suppose she means to evacuate. Of this however Mr. Adams will inform us}. Our affairs with {Spain is suspended untill the arrival of Mr. Gardoqui. He is expected}. The affrs. of {Langchamp} hath not been acted on; for particular reasons it hath hitherto been deferr'd.[5] A recommendation hath been made to the States of Connecticut, N Yk., Jersey & Pena. to raise 700 men for the protection of the frontier settlements. It was question'd whether it were not better by requisition & upon the Union, since it might be the commencment of an establishmt. wh. might last for ages, & if the right of requisition existed, the effecting by other means might tend to weaken & ultimately destroy it. The delegation of Mass. at Annapolis protested agnst. this right & their state approv'd their conduct. But as the right of requisition existed only when exerted on the Union & it seem'd generally preferr'd to raise them from 3 or 4 of the States most conveniently situated, it was ultimately agreed to adopt the mode of recommendation.[6] An ordinance regulating the mode of survey & sale of the lands ceded by Virga hath lately engag'd the attention of Congress—it hath not yet pass'd but as all the points of variance seem at length accomodated, it will perhaps in the course of the succeeding week. The original report admited of the sale only of tracts containing 30,000 acres call'd townships; this was adher'd to with great obstinacy by the E. men & as firmly oppos'd by the south-

ern. At length however the Eastern partly [party?] gave up the point at least so far as to meet on middle ground. As it now stands it is to be surveyed in townships, containing abt. 26,000 acres each, each township mark'd on the plat into lots of one mile square, and ½ the country sold only in townships & the other in lots. 13 surveyors are to be appointed for the purpose to act under the controul of the Geographer, begining with the first range of townships upon the Ohio & running north to the lakes, from the termination of the line which forms the southern boundary of the State of Pena., & so on westwd. with each range. As soon as five ranges shall be survey'd the return will be made to the Bd. of Treasury, who are instructed to draw for them in the name of each State in the proportion of the requisition on each, & transmit its portion to the loan officer in each, for sale at publick vendue, provided it is, nor any part, sold for less than one dolr. specie or certificates the acre.[7] Thus stands the ordinance at present.[8]

Sometime since a treaty was order'd to be held with the Indians in the southern department, to wh. commission Mr. Hawkins of No. Carolina, Joseph Martin of Virga. & some others were appointed.[9] A treaty is also to be held with the Indians westward at post St. Vincents or somewhere on the Wabash or Missisippi for the purpose of extinguishing the claims to soil of the tribes who inhabit in that direction. The late comrs. are continued in the appointment.[10]

The interest on the loans in Holland for the last year we understand is paid but not on those of France, by the completion of a loan order'd to be effected before the peace. No new loan is orderd nor will there be as I conceive. A requisition is before Congress for money for the payment of the interest on the domestic debt to the 31 of Decr. 1784 & on the foreign to the 31 of 85 amounting to 3,000,000 of dolrs., inclusive of the current expences of Government; the monies to be applied to the payment of the interest on the foreign debt & the expences of govt. amounting to abt. 1,000,000 of dolrs. to be recd. in specie only & the application to the interest on the domestic debt in certificates under the modification of the late requisition being abt. 2 thirds. I am strongly enclin'd to believe the western lands will absorb all the domestic debt Eastwd.; the gentn. from that quarter think so. I am also fully persuaded that when the accts. of Virga. & No. Carolina shall be liquidated the amount will be greater than is expected here. The delay in this business from the negligence of Mr. L. Wood prevents the operation of these requisitions having relation to us, & when these accts. shall be liquidated most probably ours will comprehend the greatest part of the domestic debt. No doubt we shall be paid but we had better go on pari passu with our neighbours. To expedite the business we lately obtain'd the addition of a 2d comr. to the State for the purpose.[11] They are, each to act in a district. We have had returns from but few of the States changing the 8th article of the confideration; several have already adopted it. The requisition is on the princi-

ple, in that respect, of the late one. A report sometime since pass'd Congress for appointing a committee to wait on the legislatures of R. I., New Yk. & Georgia to advise the immediate passage of the impost, but hath never been taken up.[12] R.I. hath adopted it, with a seperate credit, for sums beyond her quota, & the appointment of her own officers. N. York hath had it before her legislature this winter & negativ'd it. I believe a bill hath been publish'd for inspection of the people in Massachusetts wh. had the objects you mention in view but that it hath not pass'd as yet into a law. Of this however in my next I will inform you. Yr. friend & servant, Jas Monroe

RC (DLC: Madison Papers).

[1] This letter could not have been written before May 5 given Monroe's description in the middle of the first paragraph of the status of the land ordinance, for which see William Grayson to Washington, May [5?], note 1. It also seems probable that it was posted on the southern stage that carried travellers bearing two letters of this date from William Grayson for George Washington. And as Monroe was responding here to a letter of April 12 and Madison responded to the present one on May 29, a May 5 date would approximately bisect those dates and provide almost equal travel time for their delivery. See Madison, *Papers* (Hutchinson), 8:285.

[2] Ibid., pp. 260–61.

[3] See Monroe to Thomas Jefferson, April 12, note 6.

[4] Words printed in braces in this text were written by Monroe in cipher.

[5] See William Henry to George Bryan, February 26, note 2; and Monroe to Jefferson, April 12, note 7.

[6] The resolutions requisitioning troops from states immediately adjacent to the northwest frontier were intended to allay fears of a standing army. See Charles Thomson to Certain States, April 12, note 1.

[7] That is, "none of the lands within the said territory be sold under the price of one dollar the acre." See *JCC*, 28:253.

[8] In his May 29 response to Monroe, Madison devoted considerable space to the subject of the land ordinance, but his warmest remarks focused on the provisions concerning the support for religion in the original draft of the ordinance, copies of which had been sent to him by William Grayson, for which see Grayson to Madison, May 1, note 3. "It gives me much pleasure," he wrote to Monroe, "to observe by 2 printed reports sent me by Col. Grayson that in the latter Congs. had expunged a clause contained in the first for setting apart a district of land in each Township, for supporting the *Religion of the majority of inhabitants.* How a regulation, so unjust in itself, so foreign to the Authority of Congs., so hurtful to the sale of the public land, and smelling so strongly of an antiquated Bigotry, could have received the countenance of a Committee is truly matter of astonishment." Madison Papers, DLC; Madison, *Papers* (Hutchinson), 8:286. To avoid openly opposing the religious provision, Congress had deleted it by resorting to a common parliamentary maneuver—voting on whether to allow the proviso to stand rather than voting to strike it. With only five states in favor, the offending passage was removed. Apparently neither Grayson nor Monroe provided Madison with an explanation concerning the Virginia delegation's support for the measure. See *JCC*, 28:293–96.

[9] See South Carolina Delegates to Benjamin Guerard, January 25, note 8.

[10] For the March 18 appointment of commissioners to treat with the Indians at Vincennes, see Richard Henry Lee to Patrick Henry, February 14, note 4; and Charles Thomson to John Dickinson, March 26. During the spring the commissioners—Richard Butler, George Rogers Clark, Arthur Lee, and Oliver Wolcott—expressed concern regarding their instructions and a committee chaired by James Monroe recommended on

May 3 that Congress authorize them to seek "extensive and liberal" land cessions from the Indians, to make rules and regulations for the "management of the Treaty" and "government of the trade" between citizens of the United States and Indians, to determine the amount of land claimed by French and Canadian citizens in the region, and to administer oaths of allegiance. It was also recommended that Congress issue a proclamation prohibiting unauthorized settlement on unappropriated lands of the United States, and authorize the use of U.S. troops on the frontier wherever the commissioners should direct. Following sporadic debate, these recommendations were approved on June 15. On the 23rd, however, Rufus King expressed concern that further purchase of lands between the Ohio and Mississippi was premature and that it was more important to maintain peace by preventing encroachments on Indian lands northwest of the Ohio so that the sale of lands already could proceed. He therefore moved for repeal of sections of the June 15 act, proposed that the meeting site be changed from Vincennes to the western banks of the Ohio at the rapids or at the mouth of the Great Miami, provided that a company of infantry be stationed at the site with the commissioners, and recommended that Virginia furnish additional militia from nearby counties if the infantry company should be insufficient. Congress adopted the new plan on June 29 specifically repealing directives to the commissioners to obtain statements of land rights and sworn oaths of allegiance from the inhabitants of Kaskaskia, Cahokia, Vincennes, and other nearby settlements. See *JCC*, 28:330–33, 404–5, 430–31, 459–62, 476–77, 486–87, 29:736, 922; and Rufus King to Timothy Pickering, May 30, note 3. See also Monroe to Jefferson, April 12, note 11.

[11] See Charles Thomson to Robert Morris, March 4, note.

[12] See Charles Pinckney to Benjamin Guerard, January 2, note 4.

Richard Henry Lee to George Washington

Dear Sir, New York May 7th. 1785

This will be delivered to you by the honorable Mr. Sitgreaves a very worthy delegate to Congress from N. Carolina;[1] who has been long detained by his desire to see the Land Ordinance passed, but he is obliged at last to quit us before it is finally so. The reasons he can give you. I had some time ago written a letter for you in answer to your last favor & kept it to go by this Gentleman, whose detention has been so long as to render a new letter more fit. I have now the honor to enclose you the Ordinance above attended to, which meets the assent of nine States & every member of these Nine States, except one Man, who keeps the Ordinance from passing by the joint causes, as he alleges, of indisposition & dislike.[2] I incline to think, however, that it will pass in the form you now receive it, with very little alteration, if any. I think there is no doubt of the agreement having been made for change of dominions between the Elector of Bavaria & the Emperor as mentioned in my last, yet, altho we have letters from our Ministers in Europe of the 9th of February,[3] we are yet in the dark upon the question whether there will be war between the Emperor & the Dutch, or whether it will settle finally between the former & the King of Prussia. The public papers, as you will see by the inclosed, make War very certain. I had lately the honor of writing to you by Mr. Gra-

ham, & his Lady Mrs. Macauley Graham the celebrated Historian of England, who go to Virginia, I believe solely to pay their respects to you.[4] I beg leave to refer you to Mr. Sitgreaves for our foreign and domestic news, which indeed is not much.

My respects if you please to your Lady, whose health I hope is perfectly restored. I am, with the truest respect, esteem, and regard, dear Sir Your most obedient and very humble servant,

Richard Henry Lee.

RC (DLC: Washington Papers).

[1] See William Grayson to Washington, May [5?], note 6.

[2] Lee enclosed the approved second reading of the land ordinance, for which see ibid., note 1. The "one Man" was undoubtedly Rufus King, the principal advocate of the New England system of land distribution. See King to Elbridge Gerry, April 26 and May 8, and to Timothy Pickering, May 8.

[3] See William Grayson to James Madison, May 1, note 2.

[4] See Grayson to Washington, May 3, note 3.

Lee also mentioned the Grahams' impending visit to Washington in a letter he wrote the following day to his brother-in-law, William Shippen, a letter devoted chiefly to how Henry Lee was to be paid for the purchase of a slave, and to matters affecting Shippen's daughter and son, Ann Home Shippen Livingston and Thomas Lee Shippen. Lee, *Letters* (Ballagh), 2:355–56.

Rufus King to Elbridge Gerry

Dear Gerry, New York 8th. May [17]85

I this morning received yours of the 28th of April which is the ninth since you left us.[1] Mr. Graham & Lady are yet here, and attended to in a manner that will be very agreeable to all their friends. I have not been out, as usual on Sundays, but will deliver your Letter in the morning. A subscription paper was handed into Congress for the printing of Mrs. Grahams works,[2] the president and ten or twelve members subscribed.

We are not yet through the Land Ordinance, it has consumed a great deal of time, but I think will have a third reading and pass this week. I will send you a copy as soon as it passes. I am pursuaded great benefits will result from it—you will find that it bears strong features of an eastern System. When I tell you the History of this Ordinance you shall acknowledge that I have some merit in the business.

As soon as this affair is over, we shall pass the Requisition if states sufficient are in Congress. We have Letters from the Commissioners in Europe but nothing new—ministerial correspondencies &c &c containing many compliments, and little sincerity.

I intend writing to or rather for the Legislature next post. I observe in some of the eastern papers that it is affirmed that congress have established a plan regulating the Duties of Consuls &c—pray where

does that information come from—nothing of that kind has been transacted since your departure—and what is very singular nothing is said on the subject by Doct. Franklin.

We have a Letter from Mr. Wythe in answer to a Letter sent since your being in Boston, wherein he expressly declines coming northward to attend the federal Court. New York are now concluded and easy. We must go in the fall to Williamsburgh.

Rutledge has given no answer, Grayson and Harrison have declined—if you and one of the Agents, or the Two agents, will agree on two Gentlemen from our List, to supply the places of Rutledge & Grayson, and make & sign a proper certificate thereof which we may sign here and present to Congress—we may complete the Number of commissioners without the trouble of the Agents making a special Journey for that purpose. You may make & sign a blank certificate for to be filled up here, by agreement with the N York Agents, with some person to supply the place of Harrison—in this case you would advise us of such persons as would be agreeable to you, and from those named, undoubtedly we may agree with the N York agents on one.

It will be necessary in this mode of supplying the vacancies to send on the original agreement if the same is found.

Sitgreaves goes home tomorrow, Williamsons time expires this week, and Spaight has been confined to his Room for six weeks with a *scorbutic* complaint. Jersey have been absent these ten days, so that I have had no opportunity to laugh at Steward.[3] Delaware are absent—Houston only from Georgia, and Doctr. Johnson gone home to bring his Colleague—or perhaps to receive the right reverend Bishop Seabury who is daily expected in Connecticut.[4]

I am very much dissatisfied with the appointment of this Bishop. I never wished to see the lawn sleeves in America—this Bishop may be the channel of improper information to his spiritual head the King of England. I never liked the Hierarchy of the Church—an equality in the teachers of Religion, and a dependance on the people, is an republican sentiment—but if the C[l]ergy combine—they will have their influence on Government.

Adieu your real friend, R King

[*P.S.*] Pray communicate to Lowell what concerns the federal Court, as I can not write him by this Post, but will rely on your giving the information.

P.S. The house went into a committee of the whole last week on the Land ordinance, the hon'ble Mr. Holten unanimously elected to the Chair &c &c &c.

RC (NHi: King Papers).

[1] Gerry's letter is in the King Papers, NHi.

[2] The reference is to the celebrated English historian Catharine Macaulay Graham, author of *The History of England from the Accession of James I to That of the Brunswick Line.* Gerry had written: "Mrs McCauley is I presume by this Time in New York. Inclosed are some Letters, which I promised her. She has suspended the printing her History, which I am since informed was to consist of 6 Volumes at 1½ Dollar per Volume, 'till she can gain Information of the Terms Upon which it can be done in Philadelphia. I have subscribed for six Setts, & Mr Hardy shall have one."

[3] That is, New Jersey delegate Charles Stewart.

[4] The Rev. Samuel Seabury (1729–96), a Connecticut native, had been one of the foremost proponents of the Anglican Church in New York and a prominent loyalist pamphleteer prior to the war. He was consecrated the first bishop of the Episcopal Church in America in November 1784. *DAB.*

Rufus King to Timothy Pickering

Dear Sir, New York 8th May 1785.

When Congress accepted the cession of western Territory from Virginia, they engaged to reimburse Virginia the amount of her expences in protecting the lands ceded during the late war. A commissioner is to be appointed by Congress, another by Virginia, and a third by the two first, who, or a major part of whom, are to ascertain the sums to be reimbursed as aforesaid.[1] If your engagements are such, as would permit your acceptance of the appointment under Congress, it would give great satisfaction to a number of your friends, and remove an apprehension that at present obtains, that the United States are in danger of being charged with a very enormous sum to defray the expences of Genl. Clark's expedition against the Kaskaskeis.

It may require three months or more, to execute the business—the salary is at the rate of 1500 Dollars the year, and authority to employ as many clerks as may be necessary, at 500 Dols the year—the pecuniary considerations I am sensible cannot be an inducement, but the opportunity of essentially serving the United States will be a powerful motive. If you can consistently accept this appointment I should thank you to know it: I think Congress will know the interests of their constituents too well not to elect if you can serve.[2]

The Lands ordinance is not yet through. We have been obliged so far to give up the Plan of Townships, as to admit the sale of one half of the Townships in lots of a mile square. I will inclose you the ordinance so soon as it passes—which I hope will be the case in two or three Days. With great respect your obedient Servt. Rufus King

RC (MHi: Pickering Papers).

[1] See *JCC*, 28:258–61; and Virginia Delegates to Patrick Henry, April 2, note 2.

[2] Pickering wrote to King May 12 declining to be a candidate for this appointment, citing other engagements that were incompatible with the duties of the office. Octavius Pickering and Charles W. Upham, *The Life of Timothy Pickering,* 4 vols. (Boston: Little, Brown, & Co., 1867–73), 1:515.

Samuel Holten to George Partridge

My dear Sir, New York, 9th May, 1785.

I have been honor'd with your kind & polite ⟨*address*⟩ ⟨*attention*⟩[1] of the 25th ultimo. The notice you have been pleased to take, respecting my late indisposition lays me under renewed obligations. I have done myself the honor of communicating your compliments to the Ladies of our family & you having left it with me to make use of such language as I thought most proper, therefore, I choose the impressions of your address, perceiving they exceled in kindness as well as politeness. The late proceedings of the good people of Boston has given us some concern here, least they might carry the matter too far.[2] However, I trust they will be prevailed upon to wait 'till Government can take proper measures to counteract the British in their commercial plans, or compleat a treaty with them. No answer has yet been given to the demand I conclude you have reference to; but I understand it was largely debated, while I was confined at home & produced only a commitment. I hope the Gentlemen appointed to manage the dispute with New York will not set out at present, as I see no prospect that the cause can be tried 'till September; Mr. Wythe has declined attending unless the court is held at Williamsburgh but requests to be excused, so that I now conclude that the agents of N.Y. must consent to attend there.

The ordinance for disposing of the western territory has taken up much time in Congress, & we have some expectation of its passing this day, but Congress are greatly embarrassed, there being only nine states representd, when all the members attend, & Messrs Spaight & Howell are indisposed.

The proposed requisitions upon the states are not yet passed upon & many other important matters, so that the prospect of a recess of Congress this summer I think is not so great as when you left us.

As to family affairs Colo. Cook has left us, Genl. Webb has your late apartment, Mrs. Duykings has the chamber opposite my apartment, and I expect some other changes may take place, in a short time. Mrs. Cary is with us, & makes a good addition to the circle of Ladies who are still as agreeable as ever, & for your polite compliments, wish to return you the like salute.

I remain, with perfect respect, your sincere friend & humble servant

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Holten wrote "attention" above "address," but as both words have been lined out perhaps he retained his first choice when he copied the letter sent to Partridge.

[2] See Rufus King to Elbridge Gerry, May 1, note 1.

Charles Thomson's Shipping List

[May 9? 1785][1]

Shipped on board Capt Hide for New York.
Marked CT
No.

1 a chest
2 a case
3 do
4 a case glass
5 A trunk books
6 Box soap
7 a case
8 Box china
9 case glass
10 Case glass
11 a desk
12 } cases glass
13 }
14 }
15 }
16 cask wine
17 box coffee
18 case }
19 case } kitchen ware
20 lye tub }
21 } Desk & 2
22 } top
23 case
24 empty wine cask
25 }
26 } cases with tables
27 }
28 }
29 }
30 } beds
31 }
32 }
33 } cases with tables
34 }
35 }
36 }
37 } with 3 chairs
38 } 2 tables & a bed
39 } for William Jones
40 }

A Small Settee
A Sofa
A large table
Small Stand
Culling box & sundry utensils for Stable
Mohogony tea table
Stand of a small table
2 Arm & 10 Mohogony chairs matted
11 Walnut chamber do
6 Mohogony parlour do
2 Mohogony Arm chairs
2 Walnut do
1 low walnut do & two Stools
9 Windsor chairs
3 beds
a dressing table
Cot bed sted
2 small boxes
baskets, tubs, buckets &c
11 bundles hay
A Cow.

Six cases marked Secretary's Office
No 1,2,3,4,5,6
No 7 a Seal press
The bust of genl Washington

41 a close stool
42 chest of drawers
43 a trunk
44 Chest drawers two pieces
45 a table
46 a case
47 } barrels kitchin furniture
48 }
49 }
51 a trunk
50 a box } for Cloe
a chest }

Cha Thomson

MS (DLC: Thomson Papers). In the hand of Charles Thomson.

[1] Thomson had returned to Philadelphia the week-end of April 16 to complete arrangements for moving his household, and a few items from the secretary's office, to New York. The entries in the journals of Congress from April 18 to May 9 are in the hand of Benjamin Bankson, and Thomson's letters from this period bear a Philadelphia date line.

The following receipt ("To freight of his furniture & Stores from Philadelphia to New York"), in Thomson's hand and signed by John Hyde, is also in the Thomson Papers. "Recd May 9 1785 of Cha Thomson forty eight pounds five shillings in full for the freight of his whole goods [. . .] & for cow & passage of Thomson, I to settle with the other captains by whom I sent part of the said goods."

Charles Thomson to Peter Miller

Sir[1] New York May 9th. 1785.

I received this day your letter of the 25th April by Jonas Menser. He had delivered to the United States in Congress assembled the petition which he brought from the Settlers on the Northwest of the Ohio, I was not in Town when he delivered it but understand that it was read and no further Notice taken of it.[2] From which circumstance I ventured to give the bearer my Opinion that it would be in vain for him to wait and spend his time and money in expectation of any favourable Answer. Congress have on sundry Occasions testified their disapprobation of such intrusions, and have issued proclamations against them. It cannot therefore be supposed that they will do any thing to countenance an Act which they have warned people not to commit. They have taken & are still taking measures to purchase the Indian claims to that Country, and when they have extinguished the Indian Claims, they will then I doubt not fix the terms on which the lands may be bought and settled. But till that is done no person ought to presume to settle on the lands.

I heartily congratulate you on your return to Ephrata and wish you peace and happiness until it shall please God to remove you to a better world.

I am with much esteem and Respect, &c. &c. C.T.

LB (DNA: PCC, item 18A). Addressed: "Reverend P. Miller."

[1] The Rev. Peter Miller (1710–96), leader (as Prior Jaebez) of the Pietist community at Ephrata, Pa., since 1768, had long been acquainted with Thomson as a fellow member of the American Philosophical Society. Julius F. Sachse, *The German Sectarians of Pennsylvania, 1742–1800*, 2 vols. (1900; reprint ed., New York: AMS Press, 1971), 2:391, 402–3, 516.

[2] Lt. Col. Josiah Harmar, commander of the garrison at Ft. McIntosh on the Ohio River below Fort Pitt, had been instructed by the commissioners for Indian affairs to clear the area west of the Ohio of settlers whose intrusion into the region was threatening negotiations with the Indians. Harmar had accordingly dispatched a contingent of men under command of Ensign John Armstrong to carry out the order, and approximately 175 settlers signed a petition to Congress dated April 11, 1785, praying relief from the orders given Harmar "to Disposses us and to Destroy our Dwelings," which was read in Congress on May 3. See PCC, item 41, 7:320–22, item 163, fols. 410–12; and *JCC*, 28:333n. Coincidentally, another group of settlers, nearer the Sciota River, facing similar pressure from Armstrong's men, was also simultaneously seeking relief through Harmar. For their April 15 appeal to Harmar, signed by 66 settlers, and Armstrong's report on the action he had recently taken in the region, see PCC, item 163, fols. 418–23.

Congress took no formal action on either appeal, permitting its previously enunciated policy of extinguishing Indian claims in the region to play out inexorably, as Thomson speculated when he advised Menser not to expect "any favorable Answer." See also William Grayson to James Madison, June 27, note 4.

Rufus King to Elbridge Gerry

New York 12th. May 1785

The Empress of China Indiaship yesterday arrived in four months from Canton. We have no particulars of the prosperity of her voyage.[1] She was received in China with the utmost civility, and received attentions there which promise encouragement to future adventurers.

Her crew have been in high health and all except the Carpenter, whom they lost, have returned in the ship.

I have nothing in politicks which you do not know—accept my best wishes, and esteem me sincerely your's, R King

RC (NHi: King Papers).

[1] The *Empress of China*, Capt. John Green, who had received sea letters from Congress January 30, 1784 (*JCC*, 26:58–59), had sailed from New York February 22, 1784. An account of the voyage was sent May 19 to John Jay by Samuel Shaw, agent for the commercial group sponsoring the voyage, for which see PCC, item 120, 1:281–90; and Jay, *Correspondence* (Johnston), 3:144–49. For an analysis of this American trade initiative to China, see Appendix I, Morris, *Papers* (Ferguson), vol. 8 (forthcoming).

Charles Thomson to James Duane

Sir Secretary's Office 14th May 1785

I have just received your favour of this day and have the honor to enclose an Act of Congress of the 18th of January by which they conceived that all the apartments in the City Hall except the Court and Jury rooms were appropriated to their use.[1] Accordingly they were pleased to give me orders yesterday[2] to have the room where the Secretary's Office is now kept fitted up for the session of Congress, and reception of the pictures of the King and Queen of France; and that till this be done the Office removed into the West room which I understand is the Common Council Chamber. They were I am persuaded wholly unacquainted with the arrangement between the Corporation and Mr. Jay. I shall do myself the honour of laying your letter before Congress on Monday and wait their further Orders.[3] In the mean while I beg to assure you that I am, With great Respect, Your most Obedient and Most humble Servt. C.T

LB(DNA: PCC, item 18A). Addressed: "The Worshipful Mayor of the City of N.Y."

[1] See *JCC*, 28:7–9. The mayor had responded to a request from Thomson for the use of the "Common Council Chamber," which Duane noted was "in almost constant use" and had previously been denied for the use of the secretary for foreign affairs. See PCC, item 67, 2:489–92.

[2] *JCC*, 28:359.

[3] Details on the resolution of this effort to rearrange the accommodations for Congress in the New York City Hall are lacking, but for an account of Congress' use of the building see John D. R. Platt, *The Continental Congress in the New York City Hall, 1785–1788* (Washington: U.S. Office of Archeology and Historic Preservation, 1969), pp. 3–8.

Samuel Holten to David Putnam

Dear Putnam[1] New York, 16th May, 1785.

Altho' this is the first time I have done myself the pleasure of addressing you, since I left home, yet the welfare of you & your family have often had a share in my mind.

The time is arrived that I might have reasonably expected to have returned, & been able to have made you my personal respects; but fortune seems to have determined that it must be otherwise, for to leave the state unrepresented when so many important matters are &c pending before Congress, could not be justifyed.

I have lately (in a formal manner) been made acquainted with the proceedings of the good people of Boston, respecting their commer-

cial affairs, and I find that what I predicted to many of the merchants a year ago is coming to pass;[2] for where the imports of a country are greater than their exports, the balance of trade must be against them, & the circulating specie must of course be carryed away, & the people become poor, so far as the wealth of a country depends upon commerce. I am sensible the people have just reason to complain of the conduct of the British; but that is an old story for we have been complaining of them for more than 20 years past, and the same policy seems yet to govern their public councils, for 'tho' they could not subjugate us by arms, they endeavor to distress our trade in ordr. to prevent our becoming a great & wealthy nation; I consider this as mistaken policy, & only fit for little minds, for America will with the blessing of heaven become great & powerfull notwithstanding all the British can do; & I have no doubt but in time, they will be convinced, that it is both for their interest & policy to be closely connected with us.

I wish you to speak to Mr. Jethro Putnam respecting the demands you have against me.

You will please to make my kindest respects to Mrs. Putnam & the dear little babe, & regards to all your family.

I wish you very happy, & remain with particular affection

FC (MHi: Holten Papers). In the hand of Samuel Holten.

[1] David Putnam (1753–1825), a resident of Danvers, Mass., Holten's hometown, had been a lieutenant of the Third Continental Artillery, 1777–80. *Danvers Historical Society Collections* 12 (1924): 40; and Heitman, *Historical Register*, p. 338.

[2] See Rufus King to Elbridge Gerry, May 1, note 1.

Richard Henry Lee to Thomas Jefferson

Sir, New York May 16th. 1785.

I thank you for your obliging congratulation on my appointment to the Chair of Congress, and I do with particular pleasure return my congratulation on your sole appointment as Minister of the United States to so eminently respectable a Court as that of his most Christian Majesty. My ill state of health, added to the business and the ceremonies of my Office, has hitherto prevented me from paying my respects to you, which certainly would have been the case if the former of these circumstances had not principally prevented me. Altho' my health is now better, yet I am very far from being well. I can judge how anxious you must be for minute information of public proceedings in the United States, and of such other matters as your letter imports a desire to be acquainted with. But unfortunately all letters are inspected, and thus the impertinent eye of curiosity may be gratified with such communications as were intended only for you, and which

wicked selfishness may make a bad use of. This imposes great restraint, which will remain until Congress shall establish a system of Packets and Couriers of their own. How detestable is this dishonorable mode of obtaining intelligence—the virtue of Lord Falkland, when Secretary of State, would never suffer him to obtain information by such nefarious means. The appointment of Mr. Adams to the Court of London will probably draw out quickly the sense of Great Britain upon the points in dispute with them—and the Authority given by Congress to treat with the Piratical States will, I hope, accommodate all differences with them, and give future security to our Commerce with the South of Europe. I am much obliged to you for the pamphlet.[1] I think it is greatly to be regretted, that the avaricious, monopolizing Spirit of Commerce and Commercial Men, should be suffered to interrupt that diffusion of benefits, and communication between the human species in different parts of the world, which would probably take place if trade were put upon more liberal principles and less shackled than it is. The first attempt made by these States for the trade of the East Indies was from this City. A Ship has gone to, and returned from Canton in fourteen months with a valuable Cargo, and met with the most friendly treatment from the Chinese.[2] Other Vessels are gone and soon expected back. The great Object with the United States now is to dispose speedily of the western lands for the discharge of public debt, and a way for this is opened by treaties already made, and making with the Indians. Coinage, requisition, and Post Office are also objects of great moment and subjects of discussion—effectual measures are taking by the Assemblies of Virginia and Maryland—and by the former alone, for opening the navigation between the Potomac and James Rivers with the western waters. Laws with suspending clauses have passed in Virginia for establishing a single Port on each river and for circuit Courts—a general assessment for religion is also a subject of much discussion with us. Mr. Patrick Henry is our Governor, and Col. Harrison has lost his Election in his own County of James City. Great and general efforts have been made to get into the Legislature during the late Elections and I hear that there are many changes. It remains uncertain whether Congress will adjourn or not this year—but as I value extreemely your Correspondence, Your letters for me may always be safely enclosed to the Virginia Delegates in Congress, so that whether Congress or the Committee of States should be setting, your letters will reach me safely. Be so good as to thank Mr. Short for his letter to me and inform him that I will reply by the next Packet. I heartily wish you hea[l]th and happiness and I am with the truest esteem and regard, Sir, Your Most Obedient and very humble Servant, Richard Henry Lee

P.S. I know that your goodness will excuse my having used an Amanuensis, when you know that this cold climate has so afflicted my hand & head as to make writing painful. R. H. L.

RC (DLC: Jefferson Papers). In a clerical hand, with signature and postscript by Lee. Endorsed by Jefferson: "recd. July 10."

[1] Not identified.

[2] See Rufus King to Elbridge Gerry, May 12, note.

Richard Dobbs Spaight to John Francis Mercer

Dear Mercer, New York 16th May 1785.

You no doubt are surprised at my long silence, unless my friends Hardy & Monroe have acquainted you with my indisposition; Indeed my friend I have been sorely afflicted and at no time of my life have I suffered so much by Sickness.

Tomorrow will be seven weeks since I was attacked with an inflamation in my left Eye and it is only within this week past that I have been able to make use of the right eye either to read or write, as to the left I have little or no Sight with it, and am fearfull I shall never recover it fully; if so I must charge it to the improper treatment of the two Doctors that first attended me; this you'l say is but poor satisfaction for an Eye.

I have been making enquiries about you; but can hear nothing of you, tho' unable to write myself I expected to have heard from you.

Not having been in Congress since the 29th March I can give you no Acct. of that body, only, that they have done little or no business, and there are so few States represented at present that they can do none. Adieu for the present. I shall write you more fully in my next.

I am, Dear Mercer, Yours Sincerely, Richd. D. Spaight.

RC (ViHi: Mercer Papers).

Virginia Delegates to Patrick Henry

Sir New York May 16. 1785.

We have the honor to transmit to your Excellency copies of the treaties lately held with the Indian tribes by the Commissioners of the United States, at fort Stanwix and fort McIntosh, the former concluded on the 22d of October 1784, and the latter on the 21st of Jany. 1785.[1] We also transmit the copy of an act of Congress directing a treaty to be held with the southern Indians at such place as the commissrs. appointed may think most convenient for the purpose,[2] likewise of an act appointing one to be held in June next at post St. Vincent, for the purpose of extinguishing the claims to soil of the tribes

inhabiting the country still further to the westward & northwestward.[3] By these negotiations your Excellency will perceive it is the earnest desire & uniform object of Congress, to give peace & security to the frontier settlements of the United States, and at the same time make more valuable the lands which they offer for sale, for the payment of the publick debt.

We have the honor to be, with great respect & esteem, Your Excellency's most obt. & very humble servants, Richard Henry Lee

Willm. Grayson.

Jas. Monroe

RC (Vi: Continental Congress Papers). Written by Monroe and signed by Monroe, Grayson, and Lee.

[1] See Richard Henry Lee to James Madison, November 20, 1784, note 1; and Lee to Henry, February 14, 1785, note 4.

[2] See South Carolina Delegates to Benjamin Guerard, January 25, note 8.

[3] See Charles Thomson to John Dickinson, March 26, note; and Monroe to Madison, May [5?], note 10.

Samuel Holten to Israel Hutchinson

Dear Colonel. New York, 17th May, 1785

I have been favored with your address of the 4th of April; and have paid particular attention to the Doctrs. affairs, & please to be so kind as to cause the inclosed to be delivered to him.[1]

We have no intelligence here that deserves your particular notice.

I remain, with sentiments of great respect, Your most obedient

FC (MHi: Holten Papers). In the hand of Samuel Holten.

[1] Holten's draft of the following letter of this date to Dr. John Folkersamb is in the Holten Papers, DLC. "I have complied with your desire (signified to me by Colo. Hutchinson) in writing to Capt Jones in your favor & enclosed a copy of Mr. Frazer's letter to Dr. Potts which I thought might add to my attention in your behalf; and be assured that it gives me pleasure in endeavorg. to render you services." For the background of this exchange, see Holten to Folkersamb, March 19, 1785.

Charles Thomson to Lachlan McIntosh

Sir May 18th. 1785.

The above (see Letter of the 24th March)[1] is a Copy of my Letter to the Commissioners for Negotiating a peace with the Southern Indians.

Mr. Carroll one of the Commissioners having declined on Account of his health, the United States in Congress assembled have been pleased to elect you in his stead,[2] and it is with pleasure I embrace the

earliest opportunity of communicating to you this intelligence and of forwarding their Commission empowering you with the gentlemen therein Named to transact this important Business.

With great Respect, I have the Honour to be, Sir, Your most obedient & Most humble Servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "Laughlin McIntosh Esqr."

[1] See Thomson to the Indian Commissioners, March 24, 1785.

[2] See *JCC*, 28:362, 364n.

Rufus King to Elbridge Gerry

Dear Gerry New York 19th May 1785

Mr. Lowell, Sullivan & Parsons arrived here yesterday. The Negotiation will commence soon, for filling up the federal Court.[1] I am disappointed in your not coming on with these Gentlemen. We shall want your good assistance in this business; and I am anxious for your society in Congress.

We have no public information whatever. A very great uneasiness is discoverable among the merchants & traders generally through the States, from the disordered condition of Commerce. What can be done? Eight states only have complied with the recommendation of last year for granting to Congress power to prohibit certain importations & exportations. Nothing therefore from this quarter can be expected at present—indeed it may be questionable, whether if all the States had complied, the power granted which is only *to prohibit,* and not to regulate, certain courses of Trade, can give a remedy to the Difficulties which threaten fatal mischiefs to our commerce. Pray examine the recommendation to the states by Congress last year. Suppose a complete compliance on the part of the several states. Could Congress proceed to regulate the foreign trade carried on in this country by imposing Duties?

The situation of the impost laws you know—the unprosperous condition of commerce you must have entire information concerning—the disposition of Congress you cannot be a Stranger to. What can be done?

Repeted recommendations on the same Subject will produce consequences unfavorable to the measures of the Union; and the Delays in compliance will be ruinous?

Our family are well, and request me to present their best esteem to you; they regret that New York hath so few inducements to your Return; and entertain, after reverencing themselves, a very exalted Idea of the Agreeables of Massachusetts. How does the charming woman who holds you in contented bondage? pray present me to her, and remind her of your engagement to make me her Acquaintance.

Adieu, R King

[*P.S.*] Two posts & no Letter from Gerry.

RC (NHi: King Papers).

[1] That is, for hearing the dispute concerning Massachusetts' claim to lands in western New York.

Richard Henry Lee to Samuel Adams

My dear Sir, New York May 20. 1785

I thank you for your favor introducing Mrs. Macauley Graham to me.[1] This excellent Lady made but a short stay here, being desirous of returning from the South, before the sickly season comes on in that climate. I hope we shall shortly finish our plan for disposing of the western Lands to discharge the oppressive public debt created by the war & I think that if this source of revenue be rightly managed, that these republics may soon be discharged from that state of oppression and distress that an indebted people must invariably feel. The late arrival here of a Ship from Canton in China after a successful voyage of 14 Months from this port, is a proof of American enterprise, and will probably mortify, as much as it will injure our old Oppressors, the British.[2]

I beg my respects to Mrs. Adams, and I sincerely wish a long continuance of health and happiness to you, being most truly dear Sir Your affectionate friend, Richard Henry Lee[3]

RC (NN: Samuel Adams Papers).

[1] See Adams, *Writings* (Cushing), 4:314–15: and Lee to Washington, May 3, note 3.

[2] See Rufus King to Elbridge Gerry, May 12, note.

[3] Lee also wrote to his nephew, Thomas Lee Shippen, on May 22 concerning some purchases, concluding: "I believe it is only for that eye which sees all things to come, that can conjecture when Congress will adjourn. It seems clear however that it will not be before August, if they adjourn at all. Whilst they continue to sit I am bound you know—& when they adjourn I shall make great haste to Virginia. However, I hope you may go up the North River, because, by that means I shall have the happiness of seeing you here once more before I quit this City. We have past the Land Ordinance for selling the Country N. W. of Ohio, so far as the Indian purchases go, for payment of the debts of the United States." Shippen Family Papers, DLC. Lee, *Letters* (Ballagh), 2:360–61.

John Beatty to Henry Knox

Sir New York. 21st May 1785.

I have seen and perused the Letter, you addressed to Majr. Adams Yesterday; and altho I cannot Identify any, nor with precision Certify as to the amount of the Expences, the Major has incurred while acting as Deputy Comy. of Prisoners at the Post of Eliz, and which your letter

seem to require; Yet I conceive, My Duty obliges me to declare generally as to his Situation so far as my Information Extends.[1]

During the Year 79 and part of 80, while I was at the Head of the Department; This post being established by the Comr. in Chief as the only Communication with New York, the Nature of my office often demanded my being present there, both in the Exchange of Prisoners & for the Purpose of holding Conferences with the British Comy on that subject: At these times I have always observed, and I believe some times remarked to the Major, the great Expence that Post subjected him to, not only in the Common Civilities necessarily due to Prisoners, (as well British as American) but in his Actual Charitable distribution of provisions among them: And what Contributed greatly to heighten this Expence was; its being a Post, only occasionally occupied by our Troops & of Course seldom any Rations Issued; And from its Vicinity to New York, the provisions to be purchased were extravagantly dear & only to be procured with Specie. The Finances of the United States, not admitting any disbursements at that time in Specie to My Deputies (as but a scanty pittance could only be obtained for the Prisoners in Actual Confinement) I was led to Enquire from whence these Supplies came, and learned with pain, that the Majr. was dependent on his Friends for them.

In Justice to the Merits and sufferings of this Gentleman, I am sorry I cannot be more particular, but I am Confident in declaring, that he always discharged his Duty in the office, with great punctuality & Fidelity & that I verily beleive his present Embarrasments in a great Measure arise, from the sums of Money he was Necessitated to borrow, while Acting as Depy. Comy. at that Post.

With sentiments of great Respect & Esteem, I have the Honor to be, Sir, Your most obedt. & very Hum Servt., Jno. Beatty.

RC (DNA: PCC, item 138).

[1] A March 31 appeal from Maj. John Adam for reimbursement for extraordinary expenses incurred since 1779 as deputy commissary of prisoners at Elizabethtown, N.J., "a thoroughfare for the Exchange of Prisoners," had been referred on May 17 to a committee chaired by Beatty, himself commissary of prisoners during 1779–80. According to Secretary Thomson's endorsement on the memorial, Adam's appeal was referred on May 19 to the secretary at war, Knox, and the committee was discharged. A June 3 report on the claim by Joseph Carleton, Knox's secretary, was referred on June 4 to a second committee consisting of Samuel Dick, William Grayson, and David Howell, whose recommendation that the case be referred to the board of treasury was adopted by Congress on June 13. Although the treasury found in favor of Adam's claim in a report submitted July 6, its recommendation was rejected by Congress on July 15. See *JCC*, 28:427–28, 440n, 462, 517, 540n. Adam's memorial and a number of supporting documents are located in PCC, item 138, 1:41–74. For the background of this case and Adam's previous attempts to obtain compensation for his claims, see Robert Morris' Diary, November 5, 1783, note 3, Morris, *Papers* (Ferguson), vol. 8 (forthcoming).

Rufus King to Elbridge Gerry

Dear Gerry New York 23d. May [17]85.

Lowell, Sullivan & Parsons are here and we are attempting to complete the List of our fœderal Judges—indeed we want your good assistance and knowledge in this business. However we will do as well as in our power.

It is said this evening that Guardoqui has arrived at Philadelphia, and may be expected here without delay. I hope he has powers adequate to a proper adjustment of our claims to the Missisippi.

We do not expect a federal Court until November.[1] New York are now easy, and without farther objection will go to Williamsburgh.

I have written to Mr. Pierce of Newbury Port, who is in my Office, to send me by you, when you come on, a few summer Cloaths—they will not be bulky or heavy, consisting of thin waistcoats, &ca: I hope it will not be inconvenient for you to bring them on.

Lest Mr. Pierce shd. fail me, I must take the Liberty, in case they are not sent to Marblehead in season to you, that you would send a servant to Newbury Port to Mr. Pie[r]ce for them. But I trust you will not have this Trouble.

We have passd our Land Ordinance, but it was on Saturday, and I have no copy yet.

Adieu your's my dear sir, with sincere attachment, and friendship,

R King

RC (MH–H: Autograph File, E. J. Wendell bequest).

[1] That is, the court for hearing the western land claims controversy between Massachusetts and New York, for the postponement of which see Charles Thomson to Thomas Johnson, et al., June 21, note 3. In his June 4 reply to this letter, Gerry responded: "The Information respecting the foederal Court . . . gives me pleasure. Great Advantages are to be expected on our part by postponement of the Tryal: & I doubt not You will obtain a Court that under all Circumstances will suit You, as well as You could reasonably expect." King Papers, NHi.

Samuel Holten to the Massachusetts Assembly

Sir, New York, 25th May, 1785.

Congress having lately determined that the delegates from each state, should be furnished with six copies of their journals, commencing from the first Monday in Novr. last;[1] therefore I have the honor of enclosing a copy, so far as they are printed, for the use of the honorable house.

With the most perfect consideration & respect, I have the honor to be, your most obedient servant, S. Holten

RC (M–Ar: Revolutionary War Letters). Addressed: "The Honorable The Speaker of the House of Representatives." FC (DLC: Holten Papers). In Holten's hand and endorsed by him: "copy of a letter to the President of the Senate & Speaker of the house, only altering the address."

[1] See *JCC*, 28:318.

Charles Thomson to William Winder

Sir Secretary's Office May 25th 1785

I have the honour to enclose for your Government two resolutions passed by the United States in Congress Assembled the 23d and 25th Instant.[1]

I am, Sir, Your most obedient & most humble servt, CT

LB (DNA: PCC, item 18A). Addressed: "William Winder, Commissioner for Settling Accts in the State of Delaware."

[1] In a March 17 letter to Congress which had been referred to the board of treasury on April 28, Winder had asked for clarification of the operation of a number of congressional resolutions (October 16, 1779, August 26, 1780, and February 20, 1782), governing the settlement of some quartermaster accounts submitted to him. In its May 12 report on Winder's letter, which was adopted by Congress on the 23d, the board declined to issue any new rulings for Winder's guidance, explaining simply that commissioners were already "authorized to exercise a discretionary power in liquidating accounts on such principles as by the said resolutions are prescribed." See PCC, item 78, 24:524–26; and *JCC*, 28:195n, 317n, 359, 389–90.

The enclosed May 25 resolve, which concerned accounts of former Delaware governor John McKinly authorized Winder to make allowances to McKinly for "public Money entrusted to him . . . taken or destroyed by the enemy," although to be governed by "the fourth clause of the resolutions of Congress of the third day of June 1784." See *JCC*, 27:543–44, 28:392–93.

Connecticut Delegates to Matthew Griswold

Sr. New York 27th. May 1785.

We now at length inclose yr. Excelly Copy of the Ordinance for the disposition of the Western Territory[1] not such as we could have wish'd & long hoped it would have been, but such as after the utmost efforts of publick argument & private solicitation it could alone be. Opinions were so unaltarably fix'd upon the one extreme & the other that nothing could have pass'd but by mutual Concession & Composition. The Necessity there was for doing something upon a subject of so much importance to the Interest of the United States, will we hope Apolo-

gize for our consenting to a mode of disposition which we could not perfectly approve. We hope however it will answer the end to begin with at least & if inconveniencies shall arise upon Experement it will be in the Power of a future Congress to remedy them before they can have very extensively fatal effects. The Geographer of the U.S. Mr. Hutchins will be directed to enter upon the Survey as soon as possible, in Order to this you see a Surveyor to Act under his direction is to be Appointed from each, State,[2] for the purpose not only of an Accurate survey, but of diffusing as generally as possible thro' the States a knowledge of the Nature & Quality of the Country so that the Citizens in general may be enabled to make their Purchases with Judgment & Discretion. The Gentn. to be appointed sho'd therefore not only be well skilled in the Art of Surveying but possess Talents for Observation & discovery so that at his return he may be able to give his Countrymen a full & faithful Idea of the Country & prevent their being imposed upon by the representations of Artful, interested & designing Men. It do's not occur to us who among us thus Qualified we can Nominate that will probably undertake & be soon ready to enter upon this business, & it is of much importance that there sho'd be no disappointment in this regard by a declining of the Appointment after it is made. We therefore beg yr. Excelly to point out to us as soon as possible a Gentn. who will undertake this important & arduous trust. An early day is Assigned for the Election of them & several States have already made their Nominations.

The Requisition, tho' it has been several times discuss'd, is not yet completed. The Recommendation relative to the Trade of the U.S. will we apprehend be taken up in a few days. Several other very important matters are under consideration. The Envoy of Spain Mr. Gardoquoie is expected to arrive here in a few Days from Philada. when a Negotiation will commence upon the important subject of the Missisippi Navigation & other consequential Topicks.

As we see little Prospect that Congress can soon rise, & still less of our being relieved by the Attendance of any other Gentn. in our room, we beg leave to mention to you that our Finances are already at a very low Ebb & will very soon be totally exhausted, And to entreat yr. Excelly if it be wished that we sho'd continue here that farther provision may be made for us.

We cannot yet obtain a report of the Committee upon the Connecticut Cession.[3] The subject has been much Debated, & the Commee. so often changed that no less than nine Gentn. have already sat upon it. That point which labours most at present is an Idea that the Virginia N.W. line will include a great part, if not the whole even of the 120 M reserved by Connecticut, that Virginia having Ceded to the U.S all to the N.W of the Ohio, Congress will consequently by accepting the Cession of Connect. under the reservation in fact give to Conn

that 120 M. instead of receiving anything from her. This Constructn. of the Virginia Patent is in our Opinion clearly unfounded & untenable, but it is difficult to eradicate preconceiv'd Opinions, especially on the side of Interest. Mean time some part at least of the reserved 120 Acres[4] is within the Territory now proposed to be surveyed & sold under the Ordinance tho' as we conceive not affected by it.

We have the Honr. to be with the greatest respect & Esteam, Yr. Excellys. most obt. huml. Servts.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] See Charles Thomson to Certain States, first letter, May 28, note 1.

[2] See Charles Thomson to the Continental Surveyors, May 28.

[3] For the postponements that delayed congressional acceptance of Connecticut's cession of its western claims to May 26, 1786, see Connecticut Delegates to Griswold, February 24, 1785, note 4.

[4] Johnson undoubtedly meant to write "Miles." The Connecticut cession involved lands between forty-one degrees and forty-two degrees two minutes of north latitude, beginning at the western boundary of Pennsylvania and running "one hundred and twenty miles west." See *JCC*, 30:310; and PCC, item 30, fol. 549.

Samuel Dick to Sarah Dick

My D'r Sally, May 27th. 1785, New York

Tho' my Journey to this City employ'd Eleven days Yet it was unattended with any disagreeable Circumstances. The uncommon wetness of the weather gave me a good pretext for Loitering at the Homes of my friends on the way and paying some long promis'd visits. I arriv'd in Philadla. on the Tuesday I left home about six o'Clock, having din'd at Sweedborough with our old Friend the Parson [Dr. Collin].[1] Mr. Hall went with me [in the evening] to see Mrs. Thompson. The state of Health both of her Body and Mind seem to require a treatment very different from what her present Situation in Town will admit of. Mrs. Hall was good Enough to undertake to procure you a Bonnet, and one for Sally which it is likely she has sent by your Brother. Thursday rain detain'd me in Town, on the day following I went no farther than Bordentown the Evening being wet. Here I found a foreign officer just from New York, who Inform'd me that Jersey was entirely unrepresented in Congress. Passing thro Trenton, I came next Evening to Colo. Beattys who with Mrs. Beatty was gone to pay a Brides Visit about a mile off. Taking their little son in the Sulky for a guide, I went to the House of Joy Complimented, Drank and returned. The continued Bad Weather Joined to a Conviction that I could be of no [service at] Congress alone, induc'd me to stay till Tuesday. Col. Beatty Consented to follow me in a few days, Tho' he had retir'd from Congress determin'd to attend wholly to his Domes-

tic Affairs. His Situation within a mile of Princeton is Extremely pleasant and susceptible of much Improvement, and Mrs. Beatty is the agreeable Lady I Expected to find. On Tuesday Evening I arriv'd at Elisabeth Town 40 Miles. Next Morning to the governors about one Mile. Here, Hospitality without ostentation and agreeable Conversation Induc'd me to stay two days, in which Time Col. Beatty passed thro Elisabeth Town and got to New York a few hours before me on Friday.[2] Our two former Messmates at Annapolis Ellery and Howell live with us at Mrs. Harts. I have seen Mrs. Hopper who was well and Enquir'd affectionately for her friends. I will with great Satisfaction Inform you when there is any prospect of my Return to Salem. For tho' the Healthy Situation, Important Business, and many Amusements combine to Engross my attention, the Dear Idea of home still rivets and takes possession of my Mind. But I shall not be Uneasy if I hear of your Welfare. Here is a ship lately from the other side of the [world and] we have Teas, Silks, and other India produce immediately from China with many Curiosities which I cannot describe having not yet been on Board. Your Letter sent to Mr. Halls will come to me nearly in one day. A Circumstantial Acco't of our Family will not be Unacceptable. Your Brother will give Every necessary Council and Assistance. Make my Respects to those to Whom they will be most agreeable and accept for yourself an Assurance of the [Continuation of that] Unfeign'd Affection with which I was first Yours, Saml Dick

Tr (DLC: Burnett Collection). Copied by Edmund C. Burnett from "Original in the possession of Mr. Charles Mecum of Salem, N.J."

[1] Burnett wrote at the foot of this transcript: "The manuscript is damaged at the folds to such an extent that some words are indecipherable, or nearly so. In most instances another hand has written the interpretation above the line. All such interpolations or intepretations have been placed in square brackets. The first of these, 'Dr. Collin,' is an interpolation."

[2] John Beatty's presence at Congress Friday, May 13, is also recorded in Secretary Thomson's journal, although Dick did not take his seat until Monday the 16th. *JCC*, 28:351, 361.

Beatty's congressional career was about to come to an end. He remained in attendance until May 31, but was not present for any roll call votes after June 3. Dick continued to attend until July 22. See *JCC*, 28:405, 423, 29:570, 572, 575.

Samuel Dick to William Hall

D'r S'r,[1] New York May 27th 1785.

When I was last in Philade. the Rev'd Doct'r Ewing promis'd that soon after the Meeting of the Synod he would pay to my order A Sum of Your Paper Money on my Mothers Accot. I took the Liberty to mention Your Name and request You will be so obliging as to call on the Doctor, shew him this Letter and Receive the Money Informing me by

a Line at what Discount it may be Exchanged for Gold or Silver. I have inclos'd an Ordinance for the Disposal of our new Western State which has been the produce of our [u]nited Labours for some Weeks past. I wish It may Exhibit in the Execution Marks of Wisdom proportiond to the Time and Expense it has and will Cost. I made a Sauntering Journey to this City, having spent Eight Days on the Boat from Philade. Tho very agreeably. Permit me D'r S'r to hope for the Continuance of Care in forwarding my homeward bound Letters and puting those addressd to me into the Office.

Present my best Respects to Mrs. Hall and Inform Mrs. Thompson (for whose Speedy Recovery I would Expend a few prayers if I thought they would avail anything, But a Country Air and Exercise are infinitely preferable) that I deliverd her Letter at Mr. Douglases. That Gentleman was Just Recovering from a Severe and Long fit of Illness. The frequent Intercourse between you and this City leaves me no Opportunity of writing any thing by way of News, But shall gladly Embrace the first of Communicating whatever may occur worthy Your Notice and if nothing More, of Repeating that I'm with much Respect and Esteem Yours, Saml. Dick

Tr (DLC: Burnett Collection). Copied by Edmund C. Burnett from "Original in the possession of Mr. Charles Mecum of Salem, N.J."

[1] William Hall (1752–1831), son of the Philadelphia printer David Hall (1714–72), was one of the proprietors, with his brother David, Jr., and William Sellers, of Hall & Sellers' *Pennsylvania Gazette*. Rush, *Letters* (Butterfield), 1:349n.3, 2:689n.3.

Samuel Dick to Thomas Sinnickson

Dr Sr[1] New York May 27th 1785

My Attendance in Congress was very seasonable as they had adjournd several Days for want of a Sufficient Number of States to proceed to Business. I prevaild on Col. Beatty that my Attendance might not be Ineffectual, to Return to New York tho' He had Arrangd his Affairs for retiring totally from Congress.[2] The Inclosd is the only finishd Business which I can now transmit, as it differs materially from the former Mode of Disposal of western Territory proposd at Annapolis and may be of Service to some of our Citizens Request you will make it as publick as you can conveniently.

You have no doubt heard of the Arrival of the Empress of China and as much of the Mercantile Import of the voyage as I can give—some of her owners being in Philada. Pray Inform me if you have any Accot of the Briggs Arrival in Ireland & any other Intelligence you may Think proper. In my next I may probably send A Copy of the In-

dian Treaty & hope soon the Requisition for Supplies from the States may be finishd. We expect hourly the Arrival of Don Gardoqui.

My Respects where due, Yours Affectionately. Saml Dick

N.B. I Recd fifty Dollars of Mr Hall which I suppose you have repaid him.

RC (ICHi: Gunther Collection).

[1] Sinnickson, Dick's brother-in-law, was also collector of Continental taxes in Salem, N.J.

[2] See Dick to Sarah Dick, this date, note 2.

Rufus King to Elbridge Gerry

Dear Gerry, New York 27th May 1785

This accompanies the land ordinance which hath at length obtained its passage through Congress[1]—I hope it will meet your approbation. We are now occupied by the business of a requisition for monies.

The Recommendation of the 27th of April 1784 is the source of great embarrassment—Congress thereby declare that they will not call for farther monies until the States have all paid up former deficiencies, and they engage to credit advances over the Moiety of the eight Millions of Dollars in the next Requisition.[2] South Carolina by management with Mr. Morris have obtained a credit for specific supplies equal to their quota of the Eight millions of Dollars, and now contend that as they have obtained a credit on their quota of Eight millions equal to the whole amount thereof, the present demand on the States being for the remaining moiety of the Eight Millions, they ought not to be called on for any part of the Sum necessary for the current year.

The recommendation of last year, which is a very complex affair, also states that before the residue of the Eight and two Millions of Dollars not thereby called for should be required, Congress would revise the rule of apportionment, and make it conformable to Justice upon the best evidence in their power at the Time. S. Carolina in the Apportionment of the Eight Millions stands at the same sum as New Hampshire. Revise the Rule & conform it to justice, and South Carolina will stand at a larger Sum and other States at a less. This is what I contend for, and if it succeeds we shall bring in S. Carolina.

Indeed it may be questionable whether we ought not to reconsider the recommendation of last year on this Subject—to enjoin it upon the states to comply with the expectations of congress in paying a moiety of the quotas of the Eight Millions last year required; and make a new Requisition for the monies necessary for the present year, without referrence to former acquisitions.

It will be the occasion of confusion and intricacy, if every new requisition upon the States for money is to operate as a ballance Bill to all preceding demands.

What think you of this idea. Adieu my dear friend. Believe me affectionately, Your, R King

RC (NHi: King Papers).

[1] See *JCC*, 28:375–81. This day King also sent a copy of this ordinance, along with the ordinance of April 23, 1784, "for the temporary Government of such new States, within the Territory of the United States as may in future be admitted" (*JCC*, 26:275–79), to the Worcester, Mass., printer Isaiah Thomas. Thomas Papers, MWA.

[2] *JCC*, 26:297–309.

William Grayson to James Madison

Dear Sir, New York May 28th. 1785.

I did myself the pleasure some time since of writing to you;[1] and I expect by this time you have recieved my letter; since which nothing has happened of any consequence except the passage of the Land Ordinance & the arrival Don Diego de Gardoqui at Philadelphia. I inclose you a copy of the Ordinance:[2] & if it is not the best in the world, it is I am confident the best that could be procured for the present. There was such a variety of interests most of them imaginary, that I am only surprised it is not more defective.

The Eastern people who before the revolution never had an idea of any quantity of Earth above a hundred acres, were for selling in large tracts of 30,000 acres while the Southern people who formerly could scarce bring their imaginations down so low as to comprehended the meaning of a hundred Acres of ground were for selling the whole territory in lots of a mile square.

In this situation we remained for eight days, with great obstinacy on both sides, untill a kind of compromise took effect.[3]

As to foreign news we are entirely uninformed: neither can [*any*] body here say with certainty what will be the event of the present hostile preparations in Europe.

I imagine you have heard of the arrival of an American vessel at this place in four months from Canton in China laden with the commodities of that country.

It seems our Countrymen were treated with as much respect as the Subjects of any other nation: i.e. the whole are looked upon by the Chinese as Barbarians: & they have too much Asiactic hauteur to descend to any discrimination. Most of the mercantile people here are of opinion, this commerce can be carried on, on betters from America than Europe: & that we may be able not only to supply our own wants,

but to smuggle a very considerable quantity to the West Indies. I could heartily wish to see the merchts. of our State engaged in this business.

Don't you think an exemption from duty on all goods imported immediately from India in Virga. bottoms to our State might have a good effect?

RC (DLC: Madison Papers). In Grayson's hand; signature clipped.

[1] See Grayson to Madison, May 1.

[2] See *JCC*, 28:375–81.

[3] For this May 4–5 compromise, that "one half the land is to be sold by sections or lots, & the other half by entire townships," see *JCC*, 28:335–39.

Samuel Holten to John Avery

My dear Sir, New York, 28th May, 1785.

I have been honored with your attention of the 12th instant.

We are now wishing to hear who is Govr. of Massachusetts, & how you have compleated your Elections.

Messrs. Lowell, Sullivan, & Parsons are with us, or more properly might be said, have been with us for Messrs. Lowell & Parsons, are gone to Phila.; and nothing more will be done, I conclude, at present, respecting the fœderal court than filling it up & agreeing upon a time to meet as several of the Gentlemen that were appointed have declined accepting. The ordinance respecting the western territory may come to hand officially before this, however. I will do myself the Honor of inclosing a copy.

I have lately been informed, that it is given out with you that this is the last year that Dr Holten has a right to sit in Congress if elected. Surely this must be a mistake, And some persons may be willing that my friends, at court, may consider me in this light; however I beg you not to think, that I am seeking to be elected, when I assure you, I only wish that the members of the court may not be deceived.

I remain, with perfect respect, your most obedient.

FC (MHi: Holten Papers). In the hand of Samuel Holten.

Samuel Holten to Elbridge Gerry

My dear Sir, New York, 28th May 1785.

I have been honored with your attention of the 22d ultimo: it seems you were then waiting "to hear it announced, who is our Governor," which is the case now with us; I am at a loss how to form a

judgment, when I consider the list of candidates; but had another person I had reference to in my last[1] been one of them, I should not be so much at a loss.

Your observations respecting persons employed in public & important stations are very just, and I consider them, as the natural products of a mind like yours.

The "business of requisitions" goes on slow, S.C. objects to having any sum quoted on them, they having obtained a credit for their part of the 8,000,000; And another objection is, the discharging one moiety of the proposed requisitions, by interest arising on loan office certificates, the army debt, and other liquidated debts of the U.S. You must be sensible these are matters that we can't readily give up.

The ordinance respecting the western territory has at length passed, & I will do myself the honor of enclosing a copy.

Congress have determined to continue the geographer of the U.S. in office for three years, with a salary of six dollars per day for his services and in lieu of all expences: most of the surveyors are appointed, Mr. Rufus Putnam is chosen for Massachusetts.[2]

I remain, with the highest sentiments of respects, your sincere friend and humble servant, S. Holten[3]

RC (MHi: Gerry Papers).

[1] Not found.

[2] See Charles Thomson to the Continental Surveyors, and to Thomas Hutchins, this date.

[3] Holten also wrote the following note to Rufus King at "7 o'clock" the next morning: "Dr. Holten presents his respectful compliments to the honorable Mr. King, & will wait on him at about half after nine this morning, to finish the proposed letter [*not identified*], if agreeable to Mr. King." Holten Papers, MHi.

Samuel Holten to Jeremiah Sheldon

Dr. Shelden. New York. 28th May 1785.

I inclose you a letter I have lately recd. from Mr. Bergen;[1] you will please to inform me what answer may be proper for me to return him.

Nothing material has taken place here since you left me,[2] excepting my removal from Mrs. Dunscombs; I have for the present taken up lodgings on Long Island opposite the city. The honorable Messrs. Foster, Long, Cooke & Henry from Pensa. are with me; my apartment & situation is very agreeable.

I remain, with real respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] The following note, endorsed "Copy of a letter to Jacob G. Bergen, 30th May, 1785, respectg. Sheldon's affairs," is also in the Holten Papers, DLC. "Sir, I have recd. your at-

tention of the 23d instant, and have forwarded the same to Mr. Shelden; when I receive his answer, I will endeavor to make you acquainted with the same. Please to make my respects to Mrs. Bergen, & be assured that it will give me pleasure to render you services."

[2] Holten had employed Sheldon intermittently as a personal servant during his terms in Congress since 1778. See these *Letters,* 15:311n.

An instance of the nature of the work expected of Sheldon is set forth in the following "instructions to Jerry" drafted by Holten "June 27th," printed in the *Danvers Historical Society Collections* 20 (1932): 50.

"You are to proceed to Philadelphia and send on by water or land the chest left there, and the articles therein, if they can be sent on reasonably if not, to dispose of the same, and account with me for the money.

"You are to apply to the bank and present two small bills for 30 Dollars, and procure me the money.

"You are to apply to Mr. Martin and procure my clothes and the thirty dollars you paid him, as you must account with me for the money you let him have.

"You must pay my bills for keeping the horses, and mind that they are right cast.

"You are to pay Mr. Sword for my part of the beer.

"You are to pay all such other accounts in Philadelphia as you know I ought in justice to pay.

"You are to get my shoes of Mr. Brown if they are made, and if you think they will suit.

"You are to proceed with great moderation and consult your own health, and return by water or land as you find it most convenient."

Richard Henry Lee to John Adams

Dear Sir, New York May the 28th. 1785

I had the honor of writing to you by Colo. Smith, which letter I doubt not but that you have, or will in due time, safely receive.[1] My hopes are great, that your wisdom, and the good sense of the British Administration, will extinguish the mischievous discord that has been so artfully and industriously fomented by the enemies of both countries to the essential injury of both, and in violation of the best principles of humanity. A set of acrimonious disappointed people, who meaning the gratification of their own malice and self interest, are poisoning the minds of men with plausibilities, and theoretic reasonings, that are opposed to the true state of things; and whose counsels if pursued, will tend only to plant dissention and distress, where mutual good & common happiness should be cultivated, and will flourish. The enclosed ordinance will shew you the measures that we are taking to dispose of western lands for the extinguishment of the public debt. It seems probable that this will have very powerful operation in effecting the end designed by the System. For the country is fine beyond description, both in soil and climate—Abounding with all those primary and essential materials for human industry to work upon, in order to produce the comfort and happiness of mankind.

Don Diego de Gardoque has just announced to me his arrival at Philadelphia in quality of Plenopotentiary from his Catholic Majesty,

& that he will pay his respects in a few days.[2] The enterprise of America is well marked by the successful voyage made by a ship from this port, that has returned after a voyage of 14 months from Canton in China with a valuable eastern Cargo. Our people met with great civility from the Chinese. And the Europeans at Canton, altho civil to the stripes, were not a little surprised to see them there so soon, and at the celerity with which their voyages were effected. The gentleman who writes the letter, of which the enclosed is a copy, is a near relation of mine by marriage, and my Godson also.[3] Added to this, I am his friend because of his real worth and deserts. He is the youngest son but one of a numerous family. Possessing talents, industry, and enterprise, he determined very early to shake off that indolence too common with youths of his rank in Virginia. In quest of fortune, after having finished his education, he went 15 years ago to Sea, and pursued his system to the East Indies some years before the late war commenced, and he remained in the East engaged with the country trade there. His letter will inform you of his misfortunes, of his present situation, and his future views. My acquaintance has ceased with all who might have promoted his interest in the East Indies. Under these circumstances I venture to beg the favor of you to assist him to the utmost of your power in the way of procuring for him the appointment that he desires in the Company's service. I know that it has not been uncommon in England for foreign Ministers to interest themselves in favor of Individuals, by which means the latter have been essentially served. I am sure that you will in this case oblige a worthy able man, and, a greatful mind. That your friend, the writer of this letter, requests this favor of you, will I am very sure be a motive of strong inducement with you to exert yourself. The letter that I have enclosed for him under your cover be so kind as to get forwarded by some of the India Ships bound to, or near to Calcutta. It may go with any letter in his favor that you are so good as to procure for him. It seems probable, at present, that Congress will not adjourn this year—if they should, it will not be sooner than the middle of August. Your letters for me will be in a good way when they are deliverd to the care of Messrs. Wallace, Johnson & Muir Merchants in London.

I heartily wish you health and happiness being very sincerely your affectionate friend, Richard Henry Lee.

RC (MHi: Adams Family Papers).

[1] See Lee to Adams, April 14.

[2] For Diego de Gardoqui's May 21 letters to Lee and John Jay announcing his arrival in Philadelphia and enclosing copies of his royal commission and instructions, see PCC, item 97, fols. 1–38, item 125, fols. 1–2; and *Diplomatic Correspondence, 1783–89*, 3:137–39, 142–46. They had been received on Friday, May 27, and referred to the secretary for foreign affairs who reported May 30. See *JCC*, 28:400n.1; and PCC, item 186, fol. 136, item 190, fol. 42.

[3] The enclosed copy of a letter of May 12, 1784, from Thomas Steptoe, half-brother of Lee's first wife, Anne Aylett, is in the Adams Family Papers, MHi. Steptoe, who had been a prisoner of Hyder Ally during the war, was in Calcutta and sought Lee's intercession in obtaining "a Factorship in the East India Companys Service."

Charles Thomson to Certain States

Sir Secretary's Office May 28. 1785

I have the honor of transmitting to your Excelly. an Act of the U.S. in Congress assembled for laying out into distinct States the Western territory ceded to the Union by the Individual States, and stating the principles on which the temporary and permanent governments of the new states shall be established;[1] also an Ordinance for ascertaining the Mode of disposing of lands in the western territory & subsequent measures taken for carrying the Ordinance into effect.[2]

With great respect &c.[3]

LB (DNA: PCC, item 18A). Addressed: "To govr. N Hampshire, Massachusetts, Rhode Island."

[1] This May 20, 1785, ordinance is in *JCC,* 28:375–81. For its evolution, see William Grayson to Washington, April 15, 1785, note 1.

[2] This April 23, 1784, ordinance is in *JCC,* 26:275–79.

[3] At the foot of this letter Thomson indicated that the same letter went to the governors of Connecticut, New York, New Jersey, and Pennsylvania, "with the following addition viz." "Having recd. no answer to my letter of the 12 April last covering the Acts of 1, 7 & 12 of that Month, relative to the raising a body of troops for the purpose therein mentioned, I must beg the favour of your Exy to communicate to me the steps taken by your State for raising the quota assigned that I may be enabled to make report thereof." For the letter and acts referred to, see Thomson to Certain States, April 12, 1785. The RC of this May 28 letter that was sent to the president of Pennsylvania was misdated May 12, 1785. RG 27, PHarH; and *Pa. Archives,* 1st ser. 10:457.

Charles Thomson to Certain States

Sir. Office of Secretary of Congress, May 28. 1785

I have the honor of transmitting to your excellency An Act of the United States in Congress assembled for laying out into distinct States the Western territory ceded to the Union by individual [*states*] and stating the principles on which the temporary & permament governments of the new states shall be established.[1]

An Ordinance for ascertaining the mode of disposing of Lands in the western territory & subsequent measures taken for carrying this Ordinance into effect.[2]

Also an Ordinance for the regulation of the Office of the Secretary of Congress.[3]

With great Respect &c

LB (DNA: PCC, item 18A). Addressed: "Govr. of Delaware, Maryland, Virginia, South Carolina, Georgia."

[1] *JCC*, 28:375–81.

[2] *JCC*, 26:275–79.

[3] *JCC*, 28:212–14.

Charles Thomson to Richard Caswell

Duplicate Office of the Secretary of Congress

Sir 28 May 1785

I have the honor of transmitting to Your Excellency sundry Acts of the United States in Congress assembled.

1st. An Act of the 23d of April 1784, for laying out into distinct States, the western territory ceded to the Union by Individual States & purchased of the Indians—And stating the principles upon which the temporary and permanent Governments of the new States shall be established.[1]

2ly. An Ordinance ascertaining the mode of disposing of lands in the western territory so ceeded and purchased.[2]

3ly. A recommendation to the State over which You preside to recur to the principles of magnanimity & Justice, which dictated the act of June 2d 1784—and to evince the same good disposition by repealing the Act of 20 Novr last—and compleating the cession of western territory made by the first Act.[3]

4th. An Ordinance for the regulation of the Office of the Secretary of Congress, passed the 31st March 1785.[4] As this ordinance makes it the duty of the Secretary of Congress not only to transmit to the States the Acts, Ordinances, resolutions, and recommendations of Congress, but also to correspond with the States, for the purpose of receiving communications from them relative to the execution of the same, I trust Your Excellency will favor me with an answer—And that the conduct of North Carolina will exhibit the clearest proof, that no State in the union can exceed, nor any consideration overbalance their zeal to extend the blessings of liberty and to promote the peace, happiness and prosperity of the Confederacy.

With the greatest respect, I have the honor to be, Your Excellencys Most obedient & Most Humble Servt., Cha Thomson

RC (Nc–Ar: Legislative Papers. A.6, reel 2, unit 2, DLC[ESR]). In the hand of Roger Alden and signed by Thomson. Addressed: "His Excellency The Governor of North Carolina." Caswell had just succeeded Alexander Martin as governor on May 5, a post he had also held in 1776–79.

[1] *JCC*, 26:275–79.

[2] *JCC*, 28:375–81.

[3] This congressional "recommendation" to North Carolina was adopted May 20. The references are to the state's June 2, 1784, act ceding extensive western land claims to

Congress and November 20, 1784, act repealing the previous act of cession, for which see *JCC*, 28:382–86. See also Richard Dobbs Spaight to Alexander Martin, December 18, 1784, note 1; and Spaight to Caswell, June 2, 1785, note 2.

[4] *JCC*, 28:212–14.

Charles Thomson to the Continental Surveyors

Sir, Office of Secy of Congress, May 28. 1785

I have the pleasure to inform you that the United States, in Conformity to their Ordinance for ascertaining the mode of disposing of lands in the western territory, of which I enclose a copy, have proceeded to the election of Surveyors and have chosen you one of them.[1] You will please to inform me, as soon as possible, of your Acceptance that I may make report thereof to Congress.[2]

I am, Sr. yr. Obedt humble servt.[3]

LB (DNA: PCC, item 18A). Addressed: "Nathaniel Adams [New Hampshire], Rufus Putnam [Massachusetts], Caleb Harris [Rhode Island], William Morris [New York], Adam Hoops [Pennsylvania], James Simpson [Maryland], Alexander Parker [Virginia], Absolam Tatum [North Carolina], William Tate [South Carolina]."

[1] See *JCC*, 28:375–81, 398.

[2] Thomson's notations at the foot of this letter indicate that Nathaniel Adams declined this appointment, and that Rufus Putnam, William Morris, Adam Hoops, and James Simpson accepted. They also record the appointment on August 15 of Ebenezer Sullivan in the place of Nathaniel Adams, and that of Edward Dowse on August 24 when Sullivan declined. Cf. *JCC*, 29:623, 654, 679n.

[3] On June 20 Thomson also sent nearly identical letters to Robert Johnson [Georgia] and Absalom Martin [New Jersey] after their appointment on June 17; and on July 18 to Mark McCall [Delaware] and Isaac Sherman [Connecticut], the day of their appointment. See *JCC*, 28:466, 29:542; and PCC, item 18A, fols. 99, 111. See also the following entry, and Thomson to Thomas Hutchins, August 15, 1785.

Charles Thomson to Thomas Hutchins

Sir Office of Secretary of Congress, May 28. 1785

I have the pleasure to enclose you an Ordinance passed by the United States in Congress assembled ascertaining the mode of disposing of lands in the western territory; together with two Acts of Congress, The one fixing the sum allowed you for services and expences, and the other containing the election of Nine of the Surveyors.[1]

I heartily wish you health, I am well assured you will have pleasure, in executing the duties assigned by the Ordinance.

I am, Sir, Your most obedient & most humble Servt, CT

LB (DNA: PCC, item 18A). Addressed: "Mr. T. Hutchins, Geographer of the United States."

[1] See *JCC*, 28:375–81, 398; and the preceding entry.

New Hampshire Delegates to Meshech Weare

Sir New York May 29th, 1785.

We have the honor of transmitting to your Excellency copies of the late Indian treaties as also sundry resolutions of Congress for entering into a treaty with the Cherokees and all the other Indians southward of them within the limits of the United States for the purpose of making peace with them and receiving them into favour and protection and removing all causes of future contention quarrels[1]—and at the same time enclose the ordinance opening a land office in the several states which passed the 23d instant[2] by the unanimous voice of all the States present—and we flatter ourselves is so adjusted as to give satisfaction to the State we have the honor to represent and at the same time we have the most confident expectations that in its operation it will considerably diminish the domestic debt by absorbing a great number of the public securities. The general opinion of the goodness of the soil in this western country & of the happy temperature of the climate, has been increasing with every new investigation of it, and we think it beyond a doubt that many of the creditors of the United States in the middle and southern parts of the Union have fixed their attention to this as a fund from which they shall soon be able to pay themselves. We submit it to the citizens of New Hampshire whether associations may not be formed for the purchase of townships in this territory for future settlements or dispositions with advantag the distance notwithstanding. It was the inclination of the eastern states in conformity to the usual mode of locating lands in that part of the country by townships—to have adhered to that method throughout the whole country to be disposed of by the ordinance but as a different method had always been adopted to the southward—it became necessary to agree to alternate by lots and townships on the principle of compromise.

The design of a surveyor from each State was that by going into the country they might be able to communicate information to the state for which they were appointed of the quality of the lands, and such other circumstances as may direct the citizens in making their purchases. We have nominated Mr Nathaniel Adams of Portsmouth as a surveyor who is unanimously chosen, we wish he may accept his appointment,[3] but should he decline we ask the attention of the legislature to this subject—and that they would send forward some suitable person who would undertake the business and we doubt not his im-

mediate appointment—there is a committee who we expect will report (tomorrow) a sum to be advanced to the several officers and men who are to proceed on this business.[4]

The estimate and requisition in the several states for the current year is reported by a committee and is now before Congress we hope it will soon be passed but are afraid from the opposition we expect some parts of it will meet with in Congress that it will not be sent out soon enough to find our court in session. When that is finished we shall think it our duty as one of the foremost of other things to call up a report of a committee on old paper money and get it adjusted in such a manner as a resolution may be had thereon. By a letter from Don Diego De Gardoqui from Philadelphia we are informed of the arrival of that gentleman in that city, but in what character he is appointed by his catholic Majesty to the United States we at present are not able to inform you as his credentials have not been laid before congress.

With the greatest reluctance we beg leave to inform your Excellency of our immediate want of money to defray our expences here—we have been borrowing of our friends for about two months—hope an opportunity will present whereby we may soon get a sufficient supply.

We are with sentiments of regard and esteem your Excellency's most obedient and very Humble Servants, Abiel Foster

Pierce Long

Tr (DLC: Peter Force Collection).

[1] See *JCC*, 28:423–26 (for the treaties of Fort Stanwix and Fort McIntosh); and South Carolina Delegates to Benjamin Guerard, January 25, 1785, note 8.

[2] Actually May 20, for which see Charles Thomson to Certain States, May 28, note 1.

[3] Adams declined this appointment and was replaced by Ebenezer Sullivan August 15. See Charles Thomson to the Continental Surveyors, May 28, note 2.

[4] For the adoption of this report June 9, see *JCC*, 28:441–42.

Richard Dobbs Spaight to William Blount

May 29, 1785

R. H. Lee harangued us on the Ohio question[1] and when we voted on the Ordinance he cast his vote from the chair which was objected to by Mr. Grayson who said that custom had it that the delegates from Virginia voted from their table, as indeed do all the delegates—you have been in Congress—I say no more—But Mr. Lee replied that tho' President this did not deprive him of the Vote and he would give it from the Chair.[2]

Tr (Herbert E. Klingelhofer, Bethesda, Md., 1977). Extract "Copied from the original in the possession of Dr. Frederick Dearborn in 1957."

[1] Richard Henry Lee may have "harangued" the delegates as a result of Rufus King's and William Samuel Johnson's April 27 motion during debate over the land ordinance to narrow Virginia's options in granting lands to officers and soldiers northwest of the Ohio River—a move that the Virginia delegates countered the following day with a compromise amendment. See *JCC*, 28:309–10, 316–17.

[2] William Grayson probably objected to Lee's casting his vote from the president's chair during final passage of the ordinance on May 20, although the vote was not recorded. *JCC*, 28:375–81. For an analysis of the presidency and a review of the conduct of various presidents of Congress, see Herbert E. Klingelhofer, "The Presidents of the United States in Congress Assembled," *Manuscripts* 28 (1976): 2–15, 83-96, 171–87, 255–71.

Rufus King to Timothy Pickering

Dear Sir, New York 30th May 1785

The return and letter, you transmitted to Genl. Knox some weeks since, are now before a committee of congress and the object of the reference is the abolition of the Department. Similar proceedings are in examination touching the Department of the commissary of military Stores.[1]

Since the Secretary at war is expressly charged with the care of the last mentioned Department, I can see no reason for keeping it up separately.

It has been suggested that a proper allowance should be made to you for the Time employed in the settlement of the accounts of your Department, and the Department abolished. Pray inform me what, if any, advantage will arise from keeping the Department in existence.[2]

I transmit you a copy of the Land Ordinance such as it finally passed. All parties who have advocated particular modes of disposing of this western territory have relinquished some things they wished; and the ordinance is a compromise of opinions.

It is proposed to have a treaty on the Wabash to obtain a cession of indian Claims to the Lands between the Ohio and the Mississippi southerly. Would it not be preferable to try the sale of the lands already obtained before we purchase farther? Will not the indian claims prevent imigrants on the western side of the Ohio? Pray give me your sentiments,[3] and believe me very respectfully your obt. Servt.

Rufus King[4]

RC (MHi: Pickering Papers).

[1] King was chairman of the committee (with William Grayson and William Hindman) considering the abolition of the quartermaster department and repeal of the November 4, 1783, resolution continuing the office of commissary of military stores. A May 17 letter from the secretary at war, Henry Knox, enclosing a quartermaster return and a May 12 letter from Pickering to Knox, had been referred to King's committee on the 17th. See *JCC*, 28:348n, 364n; and PCC, item 150, 1:17–32. The committee's recommendations for discontinuing the office of military stores and abolishing the quartermaster department were adopted on July 20 and 25, respectively. *JCC*, 29:560–61, 573–74.

[2] Pickering's June 1 response to King is in King, *Correspondence* (King), 1:104–5.

[3] Pickering took up these subjects in a letter to King of June 4. Ibid., pp. 106–7.

[4] King also wrote the following brief letter to Mercy Warren this day. "Madam, Mrs. [Richard] Montgomery [Janet Livingston], who has been some weeks absent from this city at the manor of Livingston, where she will pass the summer, hath done me the honor to cover to my care the accompanying Letter, with a polite request, that it might be forwarded to Milton.

"I comply with this injunction of Mrs. Montgomery with the most entire Satisfaction; since it furnishes me with an occasion, which I have long desired, to express the very great veneration and Respect, with which, I have the Honor to be, with the highest consideration, madam your very obedient servant. Rufus King"

Richard Henry Lee to James Madison

Dear Sir New York May the 30th 1785

Two days ago, and not sooner, your favor of March the 20th[1] was deliverd to me, so that you find it has been more than two months travelling thus far. It seems to me that our Assembly were influenced more by the letter than the spirit of the Confederation. The consequence will certainly be, if our meetings are slow as usual, that Virginia will be unrepresented for some time after the federal year commences.[2] Tho no great mischief arises from this, the appearance is not so handsome as it should be; besides that it partakes too much of that too common inattention to the great Council of the U. S. upon the wise conduct of which so much depends.

I am very happy to see by the Newspapers that the business of opening Potomac goes on so well. Tis certainly an object of great consequence to extend our internal navigation. Concerning James river I have heard nothing.[3] When I was in our Assembly it appeard to me rather to be the wish, than otherwise, that Kentucky should apply for separation—And I should suppose that if, when they found themselves compitent to the business of Self Government, they properly applied to our Assembly, no good objection could be made to a separation—For they have, & will remain for a long time, if not always, more expence than profit to the rest of the country.[4] Washington County seems to be stimulated by a troublesome person who for self aggrandisement appears willg. to dismember that part also, & join with the Revolters from N. Carolina. This last seems to merit the *wise* & *firm* attention of Government & the Legislature.[5] We have, after much debate indeed, & great waste of time, at last pass'd an Ordinance for disposing of such part of the Lands N. W of the Ohio as belongs to the U. S. & have been purchased of the Indians. If this proves agreeable to the public, it will extinguish about 10 Millions of the pub debt. And the remaining lands, going southward to the Mississippi, will nearly discharge all the domestic debt—Besides the probable prospect that

we have of considerable cessions from N & S. Carolina & Georgia. This Source does indeed deserve our warmest cultivation as it seems to be almost the only one that we have for discharging our oppressive debt. Dr. Franklin has leave to retire, Mr. Jefferson remains in France—And Mr. J. Adams is sent to London. If the Court of this last country is sincere, we may expect an amicable & easy settlement of existing differences between us. The Minister (Mr. Pitt) does appear willing to be liberal in Commercial regulations, but the avaricious spirit of Commerce that is so great every where, but which in England has ever been excessive, opposes his views—And so we find it is in France, for the Marquis de La Fayette writes that the advantages already granted us are most violently exclaimed against by the Trading people of the Kingdom.[6] Mr Gardoque (who calls himself *Plenepotentiary Charged with Affairs* is arrived at Phila. and we expect him soon here[7]—So that we shall quickly know whether he can or will do any thing conclusive concerning the Navigation of Mississippi. He reports a great scarcity of provisions at the Havannah, but yet we dont hear of the ports of that Island being opened to us for supply. It is reported that the frigate which brought him is taking in flower. The American enterprise has been well markt by a short and successful Voyage made from hence to Canton in China. The Chinese were kind to our people and glad to see a new Source of Commerce opened to them from a *New People,* as they called us. The Europeans there were civil but astonished at the rapidity of our movements, especially the English. I fear that our Countrymen will overdo this business—For now there appears every where a Rage for East India Voyages. So that the variety of means may defeat the Attainment of the concurrent end—A regulated & useful commerce with that part of the World. It seems very questionable now whether Congress will adjourn or not this Year—if they do, it will not be until late in August. Inattention, Sickness, and a variety of causes occasion business to go on very slowly. I[8]

RC (DLC: Madison Papers).

[1] Not found.

[2] For the Virginia assembly's willingness to tolerate a delay each fall in the attendance of its congressional delegates, see Lee to Madison, November 26, 1784, note 2.

[3] For developments on the establishment of, and solicitation of subscriptions for, the James River and Potomac River companies, enterprises in which George Washington was heavily involved, see Washington, *Papers* (Abbot), Confederation Series, 2:88–96, 165–68, 235–46, 261–65, 360–66, 379–82, 447–48, 547–48, 562–67.

[4] See William Grayson to Madison, August 21, note 5.

[5] For the steps taken by Virginia in the fall to counter the proposals of Arthur Campbell and other separatists along its frontiers, see Samuel Hardy to Patrick Henry, January 17, note 1. See also Richard Dobbs Spaight to Richard Caswell, June 5, note 1.

[6] For Lee's response to Lafayette's intelligence and observations on the prospects for Franco-American trade, see Lee to Lafayette, June 11, 1785.

[7] See Lee to John Adams, May 28, note 2.

[8] Remainder of manuscript missing.

Richard Henry Lee to John Adams

Dear Sir, New York May 31st. 1785

On the 28th instant I had the honor to pay my respects to you in a letter of that date to wch. I beg leave to refer. The design of this letter is to introduce to your acquaintance, and friendly offices, Captain Christopher Miller the Bearer, who was this day introduced to me by Governor Clinton of this State, who assures me that in the late war the Captain proved himself to be a firm and useful friend to the cause of America—And the Governor added, that he would be answerable for Captain Millers worth and integrity. The Captain has in contemplation, a plan, concerning which he will talk with you, and which he thinks will be productive both of private & public good; and if you can find it convenient to aid his views, I doubt not but that you will assist a worthy friend to this country.[1] I have the honor to be, with the most perfect esteem & regard dear Sir, your most obedient & very humble servant. Richard Henry Lee

RC (MHi: Adams Family Papers).

[1] Capt. Christopher Miller's June 1 memorial to Congress—explaining that he was sailing for London to take command of a New York–built ship "Called the Governor Clinton" and requesting that he be granted letters of credence "As a Protection upon his lawfull Enterprize As the Said Ship belongs to Subjects of the United States"—was referred that day to John Laurance, David Howell and Rufus King who reported June 2. The committee recommended that a "sea letter" be granted for the *Governor Clinton* in the same form as that drawn up in January 1784 for Capt. John Green, master of the *Empress of China* since Miller was "bound on a voyage, in the course of which a Sea letter may be useful." See *JCC*, 26:58–59, 28:416; and PCC, item 41, 6:405–6, item 190, fol. 43. See also Charles Thomson to Samuel Elbert, June 2, note 2.

Charles Thomson to William Malcom, John Dyer Mercier, and Isaac Roosevelt

Sir, Office of Secry of Congress, May 31. 1785

The Contractors for the Supply of the Moving Army for 1782[1] having by a Memorial stated a failure on the part of the late Superintendant of finance and that they have been aggrieved by that failure, the United States in Congress assembled have been pleased to pass the Resolution of which I have the honor to enclose a copy.[2]

I am, Sir, Your most obedt & Most humble Servt.

LB (DNA: PCC, item 18A). Addressed: "J.D. Mercier, esq., William Malcom, esqr, Isaac Roosevelt esqr."

[1] That is, "Tench Francis, Comfort Sands, and others," whose February 20, 1785, memorial had been referred on February 28 to a congressional committee which had

reported on April 5. The committee had been renewed on April 29, and submitted a report on May 13 that was adopted on the 27th authorizing Malcom, Mercier, and Roosevelt to determine what damages the memorialists were due because of the inability of the superintendent of finance to make stipulated payments on contracts they had entered into for supplying the Continental Army in 1782. A second memorial from the contractors of June 13, concerning rations contracts for the garrison at West Point, was also submitted to the three commissioners on June 27. See *JCC*, 28:109, 233–34, 321n, 360, 397, 456–59, 481–83; and Thomson to Malcom, Mercier, and Roosevelt, June 28, 1785. For the contractors' memorials to Congress and original dealings with the superintendent of finance, see PCC, item 137, 1:881–84, 3:819–24; and Morris, *Papers* (Ferguson), 4:75–78, 7:67–71, 707, 722. For the commissioners' recommendation that two additional commissioners be appointed to assist in determining the award due to the contractors and the protracted efforts made to reach a settlement, see also *JCC*, 29:630n, 860, 870; and Thomson to William C. Houston, December 5, 1785, and to Elbridge Gerry, August 2, 1786.

[2] See *JCC*, 28:397. Thomson also sent a copy of this resolve this day to "Comfort Sands & Co." under cover of the following brief letter. "I have the honor to inform you that on Your memorial stating a failure on the part of the late Superintendent of Finance, the United States in Congress Assembled have been pleased to pass the enclosed Resolution a Copy of which I have transmitted to the Gentlemen therein named." PCC, item 18A, fol. 89.

Charles Thomson to the States

Sir, Office of Secretary of Cong. May 31 [1785]

I have the honor to transmit to your Exy two Acts of the US in C[ongress] ass[emble]d, one passed the 3 Novr 1783 direct[in]g the paymaster genl to deposit in the hands of regimental agents the certificates for the arrears of pay due to the officers & soldiers of the respective lines of the late Army to be by them delivered to the individuals or deposited for their benefit as the supreme executive of their respective states shall direct.[1] The other passed the 27 of the present Month requesting the legislature of the respective States to cause the services of the sd Agents to be examined & to make them such allowance as they shall think them entitled to.[2] Your excellency will be pleased to lay these before the legislature of your state and communicate to me their determination, that I may report the same to Congress.

With great Respect, I have the honor to be, Your Excellency's Most Obedt & Most humble Servt[3]

LB (DNA: PCC, item 18A). Addressed: "To his Excellency of each of the States."

[1] See *JCC*, 25:800–801.

[2] *JCC*, 28:399.

[3] At the foot of this letter Thomson wrote: "In the letter to So Carolina add: I have also the pleasure of enclosing you an Act of the 26 [*JCC*, 28:395–96] for supplying you with 12 p[ieces] of Ordinance a copy of which I have sent to the Secy at War." And he continued: "Begin the letter to Massachusetts thus. Sir, I have received the letter which your Excellency did me the honor to write on the 20 in answer to me of the 18 & 28 of March & the 15 of April last."

Robert R. Livingston to the Chevalier de La Luzerne

Dear Sir ClerMount 1st June 1785

I am now to express my obligations to you for your favors of Feby & March Last. I delayed answering them in hopes of being able to give you some information relative to our monied arrangements a subject which has been under consideration in Congress for many months without any thing effectual having been yet concluded. The fact is that they have but few resourses independent of the will of the separate State[s] & as these can seldom agree in measures to which they are not compelled by necessity scarse any thing that can be recommended will be adopted till some present or approaching calamity evinces their feelings. The imposts laid by particular states have been extreamly productive, had the general system been established it would have rendered it easy to fund our debt which is all that ought to be wished in our present situation. I have reason to think that had it not been for the mistaken policy of New York, which rejected them, the recommendations of Congress on this subject would have been complied with in a few months even by Rhode Island. I am not without hope many of the members of the late legislature having been since changed & the general sense of the people being for vesting the duties in Congress that the next session will produce an alteration in their measures. In the meanwhile Congress have been using means to lessen their debt by opening their Land office for paper at one dollar an acre. What the effect of this will be I cannot say tho' I must own that I am much less sanguine as to the sums it will instantly absorb than many others—but I have no doubt that with proper management it may be rendered a certain & effectual sinking fund. I thank you for your congratulations on my resuming a seat in Congress. This I was only led to do with a view to the controversy that is now on foot between us & Massachusets which is of the last importance to our State as their claim includes by much the greater part of it & with the then distant hope of Rendering New York the place of residence for Congress. The last has been happily effected as you have heard & the first is in a fair way of being brought to a conclusion by the appointment of a court for the purpose of determining the claim. To the variety of other interesting objects that have taken up the time of Congress I have been able to give very little attention, the business of my office[1] leaving me no leisure for any other. I am very sorrey to learn from yr Letters the indisposition of Mr. Jefferson since shd. he resign I am persuaded that it would be long before we should agree in the choice of a person equally qualified for this Station he holds. Nothing can be more flattering than what you say to me upon that subject since it be-

trays a partiality that I consider as the strong proof of friendship but I have little thoughts of going abroad in any character. I have already been nominated for Spain & at my particular request withdrawn. I was against my consent opposed to Mr. Adams & Mr. Rudledge for England. Happily Mr. Adams's interest prevailed & saved me the pain of refusing an honor which I knew to be above my [merit?]. I have since had the offer from almost all the states in Congress to replace him at the Hague which I have peremptorily refused tho I might I believe have been unanimously appointed. The contest now lays between Govr. Livingston & Mr. Rutledge. The first of these I am confident will not accept should he be elected. I mention these circumstances to give you some Idea of our present politics & to justify your partiality (which stands in need of some appology) by the example of others. But more particularly to give you a favourable Idea of this country by shewing how hard it is to find men who are willing to quit it—tho' a foreign war might save our commerce. I rejoice for the sake of humanity that the Emperor is like to recede from his demands tho the interest I take in his character makes me lament that he should a second time have entered easily into measures which he wanted force or firmness to support & tho' it might not be very courtly it could at least be friendly to repeat to him a line from Shakspear—

Beware the entrance of a quarrel, but when your in
Then bear it bravely that men may fear thee[2]

The pleasure I take in writing to you makes me careless of intruding upon your patience but once I have intered upon a new page I will get to the bottom of it by telling you of what I am sure will give you pleasure as it adds to our national importance. That the general sence of the States runs violently for giving to Congress an unlimmited right to restrict trade & turn it into what channel they think proper. Most of them have already passed laws for that purpose & on the first meeting of the respective Legislatures it is expected that all will do it. I hope that such use will be made of this power as to render our commerce as serviceble to our friends as it has hitherto been to our enemies.

Mrs. Livingstons & my Mothers family conceive themselves much honoured by your polite remembrance & desire me to return you with their comps. their sincerest wishes for your happiness—how much my own correspond with theirs upon this occasion you are too well assured of my inviolable attachment to need being told. I have the honor to be Sir, &c.

FC (NHi: Livingston Papers). In the hand of Robert R. Livingston.

[1] That is, of the Chancery Court of New York.

[2] Cf. Polonius' advice to Laertes at *Hamlet,* 1.3.65–67: "Beware of entrance to a quarrel, but being in, Bear't that the opposed may beware of thee."

Charles Thomson's Memorandum Book

[June 1–30, 1785]

June 1st. Transmitted to the Different States from Newhampshire to Georgia inclusive 2 Acts of Congress, one passed November 3d, 1783—the other 27th May 1785 with the Secretary's Letter of the 31st May 1785 accompanying the same.[1]

Transmitted to Mr. Pinckney a Copy of a resolution respecting Iron ordnance at the head of Elk to be transported to South Carolina at the risque and expence of said State.[2]

2d Transmitted to Mr. Beatty a Copy of a resolution respecting the settlement of his Accounts.[3]

3d Transmitted to P. Laundies a resolve of Congress passed the 2d instant.[4]

Transmitted to Fowler a resolve of Congress giving him an hundred dollars for encouragment to instruct the Indian Youths that are under his care.[5]

Transmitted to Mr. Smith a Copy of the Treaty at Fort Stanwix.[6]

20th. Transmitted to Mr Absolam Martin an Ordinance of the 20th May ascertaining the mode of disposing of Lands in the Western Territory with the Secretary's Letter specifying his appointment as Surveyor.[7]

Transmitted the same as above to Mr. Robert Johnson Surveyor for the State of Georgia.

21st. Transmitted to Mr. Monroe a Copy of a resolution passed 15th instant respecting the Commissioners appointed to negotiate with the Western Indians.[8]

Transmitted to the Honorable Thomas Johnson one of the judges of a federal Court for hearing and determin'g a Controversy between the states of Massachusetts and New York notifying him that the Honorable John Rutledge, Robert Hanson Harrison and William Grayson has declined accepting their appointment that three other Gentlemen by joint consent of the agents of the respective States is appointed, that as soon as the acceptance of those gentlemen are known a Commission will be made out in due form—and that the Court is to meet at Williamsburgh the third Tuesday in November next.[9]

Transmitted to the Honorable George Wythe the same as above

Ditto the Honorable George Reed Ditto
Ditto Ditto Isaac Smith Ditto
Ditto Ditto William Patterson Ditto
Ditto Ditto James Monroe Ditto

22d. Transmitted to the Board of Treasury a Letter from Geo. Morgan of the 20th May 1785 and the following papers and accounts Viz.[10]

Eliza Hallets accot for Nursing Jon Kilbuck's wife dated March 30th 1785.

John Howells accot. for Taylors work for Jno. Kilbucks and G. White eyes December 1784.

Josiah Harnetts Accot. for work for John Kilbuck March 30th 1785.

Isaac Andersons Recett. for a Coffin for John Kilbucks child.

John Runnions Ditto for diging a grave.

James Davisons Ditto for £7.8.9—March 31st, 1785.

John Kilbucks and George White eyes Recett. for £73.13.5½ December 31st 1784.

Account dated Januy. 14th to 31st March 1785 £51.15.3½.

23d. Transmitted to the Commissioners for Indian affairs in the Northern and middle Department a Copy of a Letter from John Kilbuck dated Princeton June 18th, 1785.[11]

30th. Delivered to the paymaster general General Howes Letter of the — April 1785.[12]

MS (DNA: PCC, item 181). In the hand of John Fisher. A continuation of Thomson's Memorandum Book, May 4–30, 1785.

[1] See Thomson to the States, May 31.

[2] See *JCC*, 28:395–96.

[3] *JCC*, 28:396, 405–6.

[4] For this order concerning Pierre Landais' accounts, see *JCC*, 28:417–18.

[5] *JCC*, 28:374, 399–400, 417.

[6] Ibid., pp. 423–24.

[7] See *JCC*, 28:466; and Thomson to the Continental Surveyors, May 28, and to John Brown, June 20, note 2.

[8] *JCC*, 28:459–62.

[9] Ibid., pp. 440–41.

[10] None of these documents has survived, but see *JCC*, 28:391n, 410–11, 467–68; and the following note.

[11] See Thomson to the Indian Commissioners, June 21, 1785, note 3.

[12] Fisher apparently confused the date of Gen. Robert Howe's March 10 letter with the April 12 congressional resolution adopted in response to it, for which see *JCC*, 28:166n, 237, 247; and PCC, item 160, fols. 531–37.

William Samuel Johnson to Richard Jackson

Dr. Sr.[1] New York June 2d 1785.

Yr. Favr. of the 30th of Novr. last after a long Circuit found me in this City where I have been detain'd some time in Attend[anc]e on Congress. There is a Ship sailing immediately for London, that I might not miss this conveyance I have been employd since I rec'd them in getting Papers you enclosed me compleated. I have now very little time left to thank you as I do very sincerely for the very particular attention you have paid to Brown's affair & to assure you I had no Idea of giving you so much trouble when I mention'd it to you. As I had no answer from you upon the subject, I sometime ago gave Mr.

John Watt Jr. of this City Esqr, who I hope is before this safely arrived in London, a Power of attey. & Committed to him the origal. Recept for the Money at the same time acquainting him [I] had written to you upon the subject & desiring him to wait upon you for information relative to it. What I had done however it seems wo[uld] not have been sufficient, I am therefore under the highest Obligatn. to you for having taken up the matter in so effectual a manner. Give me leave to mention [. . .] the Recet in Mr. Watts's hands was signed I believe by Jas Brown for Father, self & Brother. As I see the Name of the Co. ment'd with [. . .] is different it will depend upon the Ct. whether they are liable for this debt, & on the other hand whether he is not included in the Bankruptacy & has property. The signer [. . .] not personally liable for the debt. This must depend upon circumstances I am not [. . .] with, but which you are probably fully poss'd of & will no doubt [. . .] to, on the one hand. Mr. Christr. Miller who is a Witness to the Power of A[tty] is the bearer of the Papers & can farther Authenticate them if there shod [be] occasion. So far from there being any difficulty abt. figuring stamp Ta[xes] that I must acquaint you that both Connt. & Massts. may have adopted partial Stamp acts for the purpose of their own Revenue. There is no occassion of Troubling Govr. Trumbull with any Letters you shall do me the Honr. to write me. If they are directed to me at Stratford in Connectt. & sent by Packett or any Ship to N York they will no doubt come safe as before the War. It was not long before I wrote you that I first heard of the failure of those [oth]ers. And as it had been long neglected & I confide the whole to yr. hands & [. . .] am assur'd that all will be done that can be. Mr. W. while he continues in L. will I doubt not be ready to do anything concerning it which may save you trouble pursuant to yr. directions. I must defer other particulars to another opportunity or [. . . .] I have the Honor to be with the most perfect Esteem & respect, Dr. Sr. yr. most obedt. & most obliged humble Servt.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] Richard Jackson (d. 1787), a London barrister, had been colonial agent for Connecticut, 1760–71, for Pennsylvania, 1763–70, and for Massachusetts, 1765–67, and a member of parliament, 1762–84. *DNB*. Johnson had been acquainted with Jackson since his special mission to London, 1767–71, to assist Jackson in defending Connecticut against the claims of the Mason family to an enormous tract of the colony's lands.

James Monroe to John Jay

Sir June 2. 1785.

The enclos'd letter[1] will inform you that one, and perhaps more of our citizens are, still held in captivity in different quarters of the globe by the commandants of vessels & others without the authority of the

King or ministers of G.B. Will it be necessary to give an instruction to the minister of the U.S. at London upon this head similar to the one enclos'd, or may it not be effected without any act of Congress by your communication only? if the former shod. be your opinion had it better originate with Congress than yourself? I shod. suppose that you might effect it & induce the application of Mr. Adams under the treaty without any act of Congress. I submit it however to you & shod. be glad of your opinion as soon as convenient.

I am very respectfully yr. most obt. servant, Jas. Monroe

RC (DNA: PCC, item 78).

[1] This April 19 letter from John Carter of Providence to Rhode Island delegate David Howell concerned the case of Richard Low who had been captured aboard an armed American merchant vessel in 1776 impressed into the service of the British frigate *Niger,* and later transferred to the 74-gun *Defence* before sailing for the East Indies. In a letter from Bombay in 1784 Low had appealed for his release when the vessel returned to England the following spring. Jay responded immediately to Monroe's letter, counseling him to present the letter to Congress for submission to his office for report which was done on June 6. On the 9th Congress ordered Jay to transmit a copy of Carter's letter to John Adams, minister to Great Britain, and instruct him to demand of the British foreign minister "that Orders be immediately given for the Release and Discharge of all such American Soldiers, Seamen and Citizens as having been captured during the late War may yet be detained in his britannic Majesty's Prisons, Garrisons, Armies or Ships." Although Jay did not transmit Adams' instructions and Carter's letter until August 3, Adams pursued the matter with the marquess of Carmarthen throughout the fall and was finally assured by the Lords of the Admiralty in December that Low had probably been discharged as a matter of course upon the ship's return. See *JCC,* 28:432n; PCC, item 78, 6:283–86, item 84, 5:673–87, 6:13–25, item 120, 1:293, item 190, fol. 44; and *Diplomatic Correspondence, 1783–89,* 2:418–19.

Charles Thomson to Samuel Elbert

Sir Office of Secretary of Congress, June 2. 1785

I have the honor to inform your Excellency that in consequence of a petition of the legislature of the State of South Carolina praying that a federal court may be appointed conformably to the articles of Confederation and perpetual Union to decide a dispute Concerning boundaries between the said state and the state of Georgia, the United States in Congress assembled have assigned the second Monday in May next for the appearance of the parties by their lawful agents, to proceed in the premises as by the Articles of Confederation & perpetual Union is directed, and have ordered me to give notice thereof and of the petition of the legislature of the State of South Carolina to the legislative Authority of the State of Georgia.[1]

In obedience to this Order I enclose a notification in due form, and request that your Exy will be pleased to communicate it to the legislative authority, and favour me with an answer as soon as convenient.

With great Respect, I have[2]

LB (DNA: PCC. item 18A). Addressed: "To his Excellency the Govr. of Georgia." An almost identical letter was also sent to Gov. William Moultrie of South Carolina this date. Ibid., fol. 90.

[1] In order to resolve a longstanding boundary dispute with Georgia over lands lying between the Tugaloo and Keowee rivers, the South Carolina Assembly on March 24, 1785, resolved to petition Congress to appoint a federal court "in pursuance of the ninth of the Articles of Confederation." The petition was referred on May 13 to a committee consisting of Rufus King, William Ellery, John Henry, John Laurance, and James Monroe, which submitted a report on the 17th that was adopted on June 1. For the petition and Congress' response to it, plus the form of "notification" Thomson enclosed with this letter, see PCC, item 72, fols. 575–78; and *JCC*, 28:361n, 365n, 408–10.

For the history of this dispute, which was eventually decided amicably in April 1787 without resort to the federal court envisioned in the process set in motion with the enclosed resolution, see Kenneth Coleman, *The American Revolution in Georgia, 1763–1789* (Athens, Ga.: University of Georgia Press, 1958), pp. 257–60.

[2] At the foot of this letter Thomson wrote: "NB. June 2, 1785. Sealed & delivered a Sea letter for the Ship 'Governor Clinton,' Christopher Miller, Master, pursuant to an Order of this day," for which see Richard Henry Lee to John Adams, May 31, note.

Charles Thomson to George Clinton

Sir, Office of Secretary of Congress, June 3. 1785

I have received the letter which your Excellency did me the honor to write on the 29 May.[1]

I now beg leave to enclose an Act of Congress, relative to Messrs. Rutgers, Lush and Lansing, late deputy muster master in the army of the United States.[2]

With the greatest Respect, I have the honor to be, Yr Excellency's Most Obedt & Most humble Servt.

LB (DNA: PCC, item 18A).

[1] Clinton's letter is in PCC, item 67, 2:493–96. In it he explained that New York had already begun recruiting in response to Congress' April 1, 7, and 12 resolutions for raising troops to protect the northwestern frontiers, for which see Thomson to Certain States, April 12, note 1.

[2] For this June 2 resolve calling upon New York to adopt measures for settling the arrears of pay due Henry Rutgers, Richard Lush, and Jacob Lansing, see *JCC*, 28:91n, 416.

Charles Thomson to Pierre Landais

Sir, [June 3, 1785][1]

I have to inform you that the United States in Congress Assembled, have taken into Consideration your Memorial & have passed An Act of which I have the honor to enclose a copy.[2]

I am, Sir, Your Most obedient & Most humble Serv.

LB (DNA: PCC, item 18A).

[1] For this date, see Thomson's Memorandum Book, June 1–30, note 4.

[2] For Landais' memorial and the enclosed June 2 resolution for settling his claims for compensation and prize shares during the period he commanded the Continental frigate *Alliance*, see PCC item 41, 5:361–76; and *JCC*, 28:55n, 276–77, 417–18.

Charles Thomson to David Oliphant

Sir, [June 3, 1785][1]

I have the honor to enclose you an Act of the United States in Congress assembled, in favour of the Officers of the hospital Department in the Southern Army Who after the surrender of Char[le]ston to the British, were detained in that city for the purpose of attending the sick and wounded of the Army of the United States.[2]

With great respect, I am, Sir, Yr most Obedt & Most humble Serv

LB (DNA: PCC, item 18A). Addressed: "To Doctr. David Oliphant."

[1] This undated letter was copied into Thomson's letterbook between the two preceding June 3 entries.

[2] For the enclosed June 2 resolve, adopted in response to returns submitted by Oliphant in his previous capacity as "deputy director of the Southern hospitals," see *JCC*, 28:417.

William Grayson to Unknown

Dr. Sir. New York June 4th. 1785.

Your letter of May 20th has duly come to hand, but previous to this, Major Parker was appointed, on a supposition that such an office would interfere with Majr. Anderson's appointment under the State of Virginia;[1] there is a doubt subsisting in Congress about the right of surveying, and I presume that the nomination of Anderson might have giv'n some uneasiness; With respect to Ludeman, I will whenever he applies do every thing in my power in his behalf. A few weeks since we made recommendation to the States to raise 700 Men, for the purpose of protecting the frontiers & of preventing unwarrantable intrusions on the lands of the Continent: some gentlemen are of opinion though the number of troops are small, that they ought to be commanded by an Officer of rank. I should therefore be glad to know (if this opinion should gain proselites) whether you would accept of the command: it is probable the number of troops, may be increased, especially if by this summer's negotiation we can get possession of the Brittish Posts. Should you be disposed that way, let me know without loss of time; & please write a letter also to Monroe, on the subject; I shall be very happy to see you here & remain with great sincerity, Yr. Affect. frd. & Most Obed Serv. Willm. Grayson.

RC (Vi: Anderson-Latham Papers).

[1] Maj. Alexander Parker had just been elected by Congress on May 27 as surveyor for Virginia under the new land ordinance. Col. Richard C. Anderson had been commissioned by the governor and council of Virginia as "principal surveyor, on behalf of the Continental Line" in January 1784. See *JCC*, 28:398; and *Journals of the Council of State of Virginia [1776–1791]*, 5 vols. (Richmond: Virginia State Library, 1931–82), 3:322.

Samuel Holten to James Warren

Dear Sir New York, 4th June, 1785.

A few days since, I had the honor of forwarding a letter addressed to you, by Mr. Sullivan. The enclosed was brought into Congress yesterday from the post office here; I observed it was not sealed, & took charge of it immediately, & you may be assured it has not been unfolded since.

Messrs. Lowell, Sullivan, & Parsons are still with us, but nothing more, at present, I conclude, will be done, respecting our fœderal court than filling it up,[1] & concluding upon a place to meet, as several of the gentlemen that were first appointed did not accept.

We are waiting to hear who is appointed Governor of Masstts.; & by the list I have seen of the honorable court, I should suppose Mr. Bowdoin will be the man.

I conclude before this comes to hand, you will have seen the late ordinance, respecting the western territory, which took up much time in Congress, but passed unaniminously at last: I wish that the persons that are so sanguine in their opinions, that the sale of the lands will extinguish so great a part of our national debt may not be disappointed. I remain, with perfect consideration & respect, your most obedient, S. Holten[2]

RC (MHi: Warren Papers).

[1] See New York Agents to Massachusetts, June 7.

[2] Holten also wrote the following brief letter this day to the Rev. Isaac Story. "I have been honor'd with your polite attention of the 9th ultimo, & immediately attended to the contents. The certificates enclosed will inform you of the state of your notes: & please to be assured that if I have rendered you services it gives me pleasure, & that I wish to be honored with your commands, whenever you think proper." Holten Papers, DLC.

David Jackson to George Bryan

Dear Sir New-York June 4th 1785

I have to crave your pardon for not answering your obliging favor of the 30th April Ult before this time—my apology however I hope will be sufficient to account to you for the delay; for some weeks after your

favor came to hand, I was tormented with the ague & fever in such a manner every other day, that I had scarce life & spirits left to attend to any thing & when I had in some measure recovered, I found you had set out on the Western circuits, so that I waited your return from thence. I will now promise a punctual correspondence & shall thank you very kindly, whenever leisure will admit, to give me a detail of the principal political & domestic occurrences that happen at Philada. There are very few of importance which escape your observation—to me they will be particularly amusing & instructive & I will promise in return a detail of the same nature from hence.

You have seen the Land ordinance.[1] It was but little in the house untill it was ready to pass—it does not please me fully—it was a compromise between the prejudice of education (if I may use the expression) in the eastern & middle states with respect to their original mode of locating their lands—the eastern people contending for the propriety of locating by townships, & the middle & some of the southern folks being in favor of a division in small tracts, so as to suit the circumstances of all classes. I think also that the price is fixed two high—we attempted on the day of passing to reduce it to two thirds of a dollar per acre, but it was carried in the negative. I will thank you for your candid opinion on this ordinance. You have heard of the North Carolina cession of western territory to the United States in June 1784—they gave Congress untill the first of June 1785 to except of the cession; but previous to that time revoked the act of June 1784 & forbid their delegates in Congress to execute the deed of Cession agreeable to that act. The people of that western part of No Carolina which was included in the act of cession have since declared themselves an independent State by the Name of Franklin & plead the act of Cession as aforesaid for so doing & have sent a memorial to Congress praying to be received into the fœderal union.[2] This naturally brot the act of cession of North Carolina on the floor,[3] indeed I cannot conceive why it had not been accepted before the act revoking made its appearance; it was contended by almost all the *gentlemen of the law* that the act of cession was still good (the act revoking notwithstanding) provided Congress accepted within the time limited in said act, & that the execution of a deed in form by the delegates of that State, which they then refused to do, was not necessary to vest the title in the United States, for that this was done by the act itself fully & completely. It was therefore moved that Congress now accept the cession as aforesaid; this was overruled on the score of policy, that as Congress had delayed to accept the Cession untill the term limiting the acceptance was on the point of expiring & that as it had not been taken up at all, untill a memorial had made its appearance in Congress from a part of that state (stiled by some in rebellion) praying to be admitted into the federal union—that taking the matter up at this late hour & as things

now stood would be taking rather an undue advantage of No Carolina, rather tending to favor a seperation at any time of a State whenever a few turbulent people were so disposed, that the measure would very probably irritate the State to so great a degree as to induce them to withdraw from the union—that it was best for the present to use lenient measures; that in all probability No Carolina would in a very short time, again make the desired cession, for that she could not possibly long hold those people beyond the mountains subject to her jurisdiction. The matter then ended with a resolution as you will have seen in the public papers recommending to No Carolina to reconsider this matter & act on liberal principles &c. No Carolina I think makes but a foolish figure in this business—she made a sort of an Indian gift, which she had scarce parted with before she called it back into her possession. I have no doubt but she will at her next session of assembly confirm anew her former cession, for from all accounts the people beyond the Apalachian Mountains which have now declared themselves an independent State will never again return under the jurisdiction of No Carolina, nor is it in the power of that State to force a compliance.

Congress have not yet finished the requisition on the States for the year 1785—it ought to have gone out at least five months ago & at this time some preparation ought to be making for the business of 1786—however 1785 must precede—in determining the requisition for this year on the report of a grand committee for that purpose, there is 30,000 dollars called for, to be appropriated for the purpose of erecting fœderal bu[i]ldings.[4] Whenever this comes on the carpet the propriety of erecting those buildings, will also become a subject of discussion. I confess I have not yet been able fully to make up my mind on the subject having never heard the arguments pro & con on this business, but am rather inclined to give it my negative; I query whither in this I should be joined by my colleagues, especially Mess P——t & W——n.[5] The letter is expected every day when our delegation will be full. I can easily account for the prejudices of those two gentlemen in favor of a measure of this nature—be pleased as soon as convenient to give me your opinion on this subject; it will have great weight with me in forming mine. I am much pleased to hear, the paper money seems to keep its ground & is in pretty general circulation. The Bank stopping all fresh discounts is greatly in its favor.

You have Don Gardoqui with you, we look for him here shortly—we have had letters announcing his arrival & rank. The navigation, full & free to the United States of the Mississippi must of course become a matter of enquiry, & subject of discussion with his court—that is a matter the United States can never give up, otherwise our territory in that quarter would be of little consequence.

The Continental Treasurer would wish to stay in Philada, altho' he together with all the other officers of Congress residing there have

been directed to come to New-York—from the present disposition of Congress, he will find it absolutely necessary either to come to N. York or resign.[6]

With much esteem, I remain Dear Sir, Your Obdt Servt,

David Jackson

RC (PHi: Bryan Papers).

[1] For the transmittal of this May 20 ordinance, see Charles Thomson to Certain States (first letter), May 28, note 1.

[2] See Richard Dobbs Spaight to Richard Caswell, June 5, note 1.

[3] See ibid., note 2.

[4] See William Grayson to James Madison, May 1, note 10.

[5] That is, Charles Pettit and James Wilson.

[6] For the difficulties encountered over Michael Hillegas' reluctance to move his treasurer's office to New York, see Rufus King to Timothy Pickering, June 17, note.

Richard Henry Lee to Thomas Lee Shippen

N. York June the 4th. 1785. Explains to his nephew why payment for his "Sword Cutler" has been delayed, provides direction for the shipment of his chaise or "Chair" from Philadelphia to New York by water, and thanks his brother-in-law, Dr. William Shippen, Jr., for procuring his servant who has "just arrived." As for dining in New York: "The Black fish, Sheepshead, & Sea Bass are now numerous & fine. I wish most sincerely that we had our good Brothers—your father—company here to assist in the discussion of some of them. Besides, the Champaign, Claret, Madiera & Muscat are good. I know that your philosophy is above temptation—Yet I cannot help wishing now that the inducements might so far prevail as to give us the pleasure of your company a while. It will be unfortunate for us if Mr. Gardoque should not be a Smoker and so not be provided with Havanna Segars. The most worthy Don Juan Miralles used to supply us so copiously that he has occasioned us to loose all appetite for other smoking. . . . His most Chn. Majesty has just announced to Congress the birth of another Son called Duke of Normandy."[1]

RC (DLC: Shippen Family Papers).

[1] This March 27 announcement from the French king was read in Congress June 6 and referred to secretary for foreign affairs John Jay who drafted a congratulatory reply for Congress which was approved June 14. See *JCC*, 28:433n, 457–58; and PCC, item 190, fol. 44.

Rufus King to Elbridge Gerry

New York 5th June [17]85

I have yours of the 27th of May with the history of electioneering;[1] I am satisfied with all that has been done, and with all that has not been done. There is but one piece of information that you give me that I am not content with, and that is your intention to remain until the 15th instant in Massachusetts. I have for six weeks past daily been saying, that you would be here, in twelve or fifteen days; and these assertions have not only been made to the best and most respectable men in congress; but to a number of the most beautiful women in this City, all of whom laugh at my credulity in believing that you seriously intend leaving Massachusetts this summer.

Now Sir this has become a very serious business, I am not only disappointed in the society of my friend, but am pointed at as a very weak man in my understanding, and a very great man in faith.

But this aside, seriously your friends wish you here and I have been disappointed in your not returning. However as you have tarried so long; for the greater good, I will consent to your remaining a few days longer, for the appointment of Delegates.

I wish to know who is talked of and who will probably be chosen—you well know the importance to Massachusetts and to the Eastern states, that Massachusetts should always have not only a full, but an able Delegation. The State requires abilities, in the present condition of her affairs, but I fear she will not obtain them, although she hath many able men who would serve her, provided when they are taking care that the Commonwealth takes no harm, the commonwealth would take care that their private affairs received no detriment.

Georgia is represented, North Carolina, and Delaware unrepresented—we have Eleven States on the floor.

Adieu my dear Gerry. Yours affectionately, R King

[*P.S.*] A Letter from J. A. states the little prospect of effecting anything from their commercial commission—and desires that the commission may not be renewed—if renewed, he requests to be left out of the commission:[2] but all this was written before he had knowledge of his appointment to London. I begin to entertain doubts of the propriety of forming commercial treaties upon the plan of the present instructions to the Ministers—and I fear we expose ourselves in offering these treaties to so many powers. But these are doubts. I have been reading Smith's Wealth of Nations, if his theory is just, our plans are all wrong—upon his system, our commerce may be wholly regulated within ourselves without Treaties. Once more adieu. R.K.

RC (NHi: King Papers).

[1] Gerry's letter, reporting the recent election of James Bowdoin as governor of Massachusetts, is in King, *Correspondence* (King), 1:100–101.

[2] This April 13 letter from John Adams to John Jay is in PCC, item 84, 5:421–29; and *Diplomatic Correspondence, 1783–89*, 1:480–83.

Pierse Long to Unknown

Sir, New York June 5th. 1785

I take the liberty to subjoin a paragraph of a letter I this day received from the Honble. George Atkinson Esquire of Portsmo. State of New Hampshire [1]—and ask it as a favour you would write me on the subject as soon as possible—that I may be able to give him the necessary information thereon. I have the Honr. to be, with sentiments of Respect and Esteem, Your most Huml Servt, Pierse Long

RC (PHi: Jenkins, Old Congress Collection).

[1] At the foot of this letter Long wrote the following paragraph: "I request the favor of you to inform me, whether the state of Pennsylvania pay the intrest on their loan office certificates—and what method must be pursued to obtain it. G.A."

Atkinson was apparently seeking information on the operation of the Pennsylvania Funding Act of March 21, 1783, which the public creditors of the state had extracted from their assembly when Congress proved unable to service the interest on loan office certificates, for which see Morris, *Papers* (Ferguson), 7:146–47.

The recipient of this letter has not been discovered; and since Long requested him to "write me on the subject as soon as possible" it seems unlikely that he was one of the Pennsylvania delegates attending Congress at this time.

Richard Dobbs Spaight to Richard Caswell

Sir, New York 5th June 1785.

On the 15th of May Mr. Cocke arrived here in the *Character* of Agent, for the inhabitants of the Counties of Washington, Greene, & Sullivan, whom it appears have declared themselves an independent State by the Title of *"The State of Franklin."* The day following he presented, to the President of Congress a memorial from the Assembly of *that State,* praying Congress to accept the cession of No Carolina, and to admit them into the Union. The memorial was laid before Congress, and read, but no Order either moved, or, taken on it. A copy of the memorial I enclose to your Excellency.[1]

A day or two after a motion was made by a delegate from Massachusetts, that the Acts of the Genl. Assembly of the State of No. Carolina, granting & repealing the cession, should be refered to a Committee, in order that they might report whether Congress had, or had

not a right to Accept the cession, & whether it was not still binding upon the State, notwithstanding the repealing Act. They were accordingly committed, and a report made on the 20th May. Contrary to the established rule, the report was taken up, and Acted on, the same day, without allowing any time for consideration or giving any notice to the member from the State. As I had been indisposed for some time before & was at that time, far from being well, I was not in Congress, tho' had I known that, that subject would have been before the house I should certainly have been there. Notwithstanding I think that congress have in this instance, treated the State and myself with a great degree of indelicacy, I shall only Observe upon their proceedings, that in my Opinion too great an avidity, in a part of Congress, for Western Territory, have harried them into a Measure, the consequences of which they have not considered, and I am sure in their cooler Moments, & abstracted from *interested motives*, they wou'd condemn. A copy of the report and proceedings thereon I enclose to your Excellency. The Report does not do much credit to the Abilities of the gentlemen who drew it, (tho' it convinces me, that my opinion is right— "that they are willing to have the land on any terms,") as the latter clause, which is the only one agreed to, is an Absolute contradiction to every other part of it.[2]

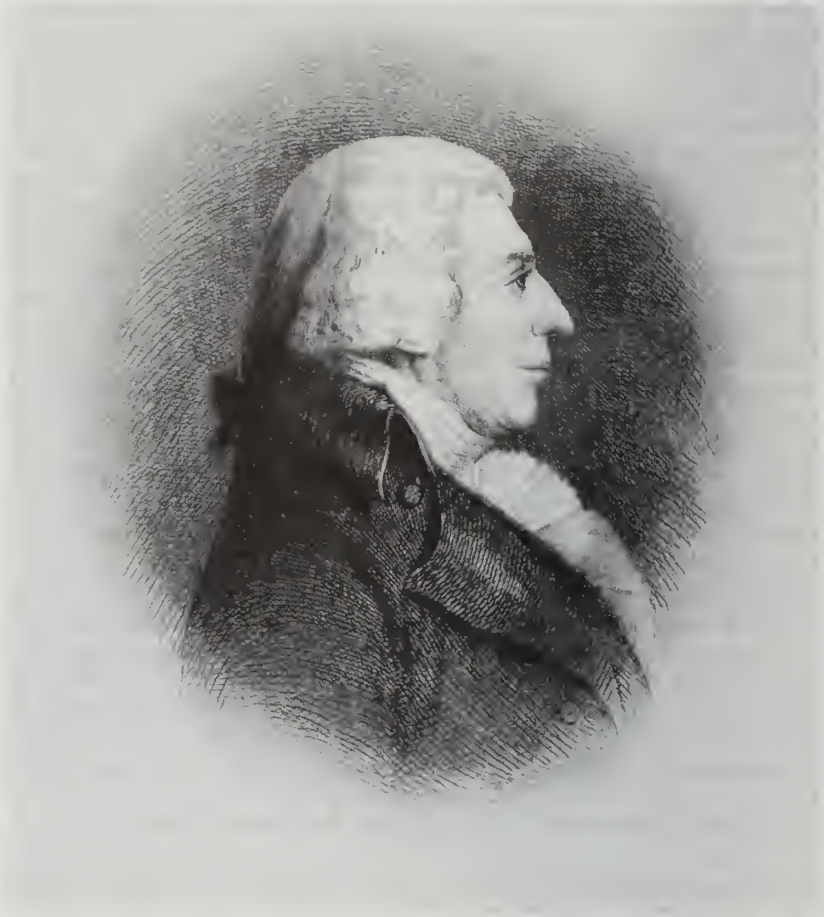
I inclose your Excellency a note I recd. from Mr. De Marbois, respecting the debt due by the State to the Government of Martinique.[3]

I forward to your Excellency the Ordinance for ascertaining the mode of disposing of the lands in the western territory.[4] In my Opinion it never will answer the End proposed, for before this formal & hitherto unheard of plan can be carried into Execution, the lands will be possessed by persons, who, have already, & are daily crossing the Ohio, in great numbers, so as to put the United States to more expence to dispossess them, than the soil will afterwards sell for.

The State of South-Carolina have applied to Congress, for a foederal court, to determine the dispute about Jurisdiction & territory subsisting between them & the State of Georgia.[5] They claim all the territory lying to the northward of a due west line to be drawn from what they call the head of the River Savannah, (that is where the Tugelo & Keowee Join when it takes the name of Savannah,) to the Mississipi, & to the south of our line: And all the territory lying to the south of the Altamaha & a due west line to be drawn from the head of that river to the Mississipi, & to the North of the Floridas as bounded by the Treaty.

North-Carolina has not been represented since Doctor Williamson's time expired, nor do I hear any Accounts of the Other delegates coming. I shall leave this city in a few days to return home.[6]

The requisition for the present year is not yet made, and several other important Matters remain to be acted on, from which I am led to believe that Congress will not have a recess this Summer.



Richard Dobbs Spaight

I have the honour to be, Your Excellency's Most Obedient and Most humble Servt. Richd. D. Spaight.

RC (PHi: Gratz Collection).

[1] The undated memorial of the Franklin "assembly" and the March 12 certification of William Cocke as its agent to Congress are in PCC, item 48, fols. 291–96. Although there is no mention of the memorial in the journals, Charles Thomson's despatch book contains a May 16 entry noting the submission of the memorial together with an April 7 letter to Congress from the deputies of Washington County, a "Memorial of the Freemen inhabiting the Country Westward of the Allegany or Apalachian Mountain," a list of articles of "Association," and "Extracts from an Address to the Western Inhabitants," for which see ibid., fols. 285–90, 297–300; and item 185, 3:125. See also Samuel Hardy to Patrick Henry, January 17, 1785, note 1; and Samuel C. Williams, *History of the Lost State of Franklin*, rev. ed. (New York: Press of the Pioneers, 1933), pp. 82–85.

[2] The committee appointed May 18 (Rufus King, William Samuel Johnson, William Grayson, William Ellery and James McHenry) "to examine the Acts of the state of N Carolina touching a cession of western territory" issued a report on May 20 consisting of four paragraphs. The first three—declaring North Carolina's repeal of its June 2, 1784, act of cession invalid, asserting that Congress could not decline to accept the original cession, and recommending that Congress therefore accept it "subject to the conditions and reservations in the said act contained"—were rejected. Congress did adopt, however, the committee's final recommendation that North Carolina overturn its repeal of November 20, 1784, and execute a deed for the territory ceded the previous June. Since the paragraph contained language which only recognized Massachusetts' previous cession of western lands, Congress accepted James Monroe and William Grayson's May 23 proposal that the resolution be reworded to reflect the New York and Virginia cessions. See *JCC*, 28:369n, 381–87; and PCC, item 190, fol. 140. Although not recorded in the journals, Hugh Williamson testified that the original motion to appoint a committee on the North Carolina cession had been made on May 13 and renewed on either the 16th or 17th. See Williamson to Caswell, June 27, notes 2 and 3.

[3] The marquis de Barbé-Marbois' May 18 note to Spaight is in *N. C. State Records*, 17:450–51. For Marbois' correspondence directly with Gov. Caswell, see ibid., pp. 439, 475–76, 488. See also Hugh Williamson to Alexander Martin, April 8, 1784, note 2.

[4] See *JCC*, 28:375–81.

[5] For Congress' response to South Carolina's petition, see Charles Thomson to Samuel Elbert, June 2, 1785.

[6] Spaight subsequently claimed attendance at Congress from October 22, 1783, to August 20, 1784, and from November 3, 1784, to June 6, 1785, at £80 per month plus travel expenses. Spaight Papers, Nc–Ar. Upon his return to North Carolina, Spaight also wrote to Caswell on August 10 asking "to resign my Appointment for the residue of the year" and declining the renewed appointment for the ensuing year, having "long neglected" "private business." 2000X, DAR.

Samuel Holten to Nathaniel Gorham

My dear Sir, New York 6th June, 1785.

I had not the honor of your attention of the 26th ultimo, 'till yesterday, what prevented its coming to hand by the Wednesday's post, I am not able to say; but I feel myself under renewed obligations for the intended intelligence enclosed, 'tho' I had recd. the papers of that date

by the post before; & please to accept my congratulations to you, as speaker of the honorable house.

Undoubtedly before this comes to hand you will be fully acquainted with the late ordinance, respecting the western territory, by which you will perceive that the business you have reference to, is to be done by the commissioners of the loan offices of the several states; however, you may be assured that it would give me pleasure to render you services, & that the matter you mentioned will rest with me.

The states of New York & Georgia not having granted the impost greatly embarrasses Congress as it respects our Finances; & the proposed requisitions upon the several states for money to pay the intt. & of our national debt the present year, I do not expect will get through Congress so as to come before you in your present session, unless it should be longer than usual.

Messrs. Lowell, Sullivan & Parsons, are still with us, but I conclude nothing more will be done respecting our Fœderal Court at present, than filling it up, & agreeing upon a time to meet, as several of the gentlen. that were first appointed did not accept.

I have lately been informed, that it is considered by many, that this is the last year Dr. Holten can serve in Congress, if elected, surely sir, you can easily inform the house of the contrary, if necessary, when you recollect that commutation (*as it is said*) left me out one year, but this matter is to rest with you.

I remain, with perfect consideration & respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

Samuel Hardy to Agnes Harwood

New York. 7th. June 1785. "I arrived here three days ago, and embrace the first Opportunity of obeying your injunction to write to you."[1] Bemoans their separation and assures her "that I continue to love you; that my affections are encreased by absence, and more confirmed if possible by the distance we are seperated." Begs her to overcome her trepidation and to send a reply. "For Heaven sake let not the fear of not writing what is called a good hand, or what is called a good letter, restrain your pen for a Moment. I know the disadvantages of education under which the Ladies of our Country, labour, and have ever been able to make an allowance even for those to whom I have been wholly indifferent. What then have you to fear? You to whose very errors I should be so partial as to be almost led to copy them. I beg you therefore to write me freely, write me without restraint. Nay write me any thing; for any thing from you will be acceptable. Tell me what has happened at Wynoake since I left it. Who has been there,

and who you expect. Who is going to be married of your acquaintance, or who has courted you, or rather wished to do it. For your permitting any one is a peice of information that will not be agreeable."[2]

RC (ViHi: Palmer Papers).

[1] Agnes was apparently the daughter of Maj. Samuel Harwood of "Weyanoke," Charles City Co., Va. After Hardy's sudden and premature death October 17, 1785, she eventually married Fielding Lewis of Gloucester in 1788. See *WMQ*, 1st ser., 11 (October 1903): 263–64

[2] Not receiving a reply to this letter, Hardy wrote again on August 14 expressing his disappointment and mortification "that you should have paid so little attention to my requests that you would write to me." Inquiring whether she was "yet buried in the retirement of Wyanoke," Hardy admonished her that such refuge "is of all things the most unfriendly to the Acquirement of that gracefulness of Manners & ease of behaviour which is necessary to either Sex, but indispensably so, to yours. In a Gentleman indeed the want of this accomplishment may, & frequently is, overshadowed by the possession of superior understanding & a political consequence; I have therefore often seen a very awkward Man the Object of general Attention & general respect. But the case is very different with a Lady: in her, the want of this ease & unreserve of Manners nothing can attone for. And believe me it is an accomplishment for which we must be indebted wholly to the World: Nothing but an intercourse with society can possibly give it." He therefore encouraged her to make frequent visits to Mrs. William Byrd III at "Westover," to take a trip to Richmond when the assembly was in session to meet "with Governor Henrys family & several others," and "to spend at least two or three Months in Williamsburg during the Winter." Palmer Papers, ViHi.

New York Agents to Massachusetts Agents

Gentlemen N York 7 June 1785

We agree that Mr Fleming who was a Delegate in congress from Virginia in the Year 1779 & Mr Sitgreaves who is now a Delegate in Congress from North Carolina (being two of the Gentlemen named in the List you sent us) be two of the Judges to hear and determine the Controversy between your State & this, in the Room of Mr John Rutledge & Mr Grayson who decline serving.[1] We agree to this on the condition you offered, namely that the Gentlemen named by us, and who have agreed to serve (tho' notice thereof from some of them was not given within the 2 Months limited for that Purpose in our written agreement) shall stand, notwithstanding any objection that might be made on that account.

We have the Honor to be with great Respect, Gent., Your most obt. & very hble Servts. signed J.J.
R.R.L.
W.L.[2]

[*P.S.*] Mr Duane concurs with us but very engaged in Court cannot at present subscribe his name.

FC (NHi: Duane Papers). In the hand of John Jay, and endorsed by James Duane: "Proposal of New York to accept of Messr Flemming & Sitgraves as Judges on Conditions."

[1] For the responses of Rutledge and William Grayson declining to serve as judges in this Massachusetts–New York controversy, see Massachusetts and New York Agents to James Monroe, December 28, 1784, note 3. For the appointment of William Fleming and John Sitgreaves in their stead, along with Samuel Johnston for Robert Hanson Harrison, see Massachusetts and New York Agents Agreement, June 8; and Charles Thomson to Fleming et al., June 9.

[2] That is, John Jay, Robert R. Livingston, and Walter Livingston.

Massachusetts Agents to New York Agents

Gentlemen. New York June 7. 1785

We have just received yours of this Morng. and are much pleased that we are united in the appointment of a Court.[1] The Chancellor[2] informs us that he cannot be able to meet us for the purpose of concluding the business until 10 o'Clock tomorrow; we shall be very happy to meet you at that time, and at Mr. Elsworth's if agreeable to you if not at any other time or place you please to appoint.

We have the honr. to be with great respect, Gentn., your most obedt. & humble Servts. J Lowell Theop Parsons

James Sullivan Rufus King

RC (NHi: Duane Papers). Written by John Lowell and signed by Lowell, King, Parsons, and Sullivan. Addressed: "The Honble the Agents of New York for managing the controversy of that State with the Commonwealth of Massachusetts."

[1] See the preceding entry.

[2] That is, Robert R. Livingston.

Charles Pettit Receipt

New York June 7th. 1785.

Received out of the Office of the Secretary of Congress the following papers which came enclosed in a Memorial of Robert Shewell of the 25th May 1784 Viz[1]—

1st. Copy of a Commission to Mr. James Gill as Marshal of a Court of Vice admirality of Newfoundland (signed Robert Gill Register).

2d. A Letter Dated St. John's Newfoundland October 16th. 1783 (signed) Arch. Buchanan.

3d. Original publication of protest (Signed) Robert Bulley, Matthew Blair, John Warrand, John Justice, and dated St. Johns October 14th. 1783.

4th. Certificate (signed) Robert Gill Register.

Recd. by Order & for the Use of Robt. Shewell

Cha. Pettit

MS (DNA: PCC Miscellaneous Papers, M332, reel 9, fol. 146). In the hand of Charles Pettit.

[1] For Shewell's memorial, which was actually dated May 23d (and referred to committee the 25th), see Pennsylvania Delegates to John Dickinson, May 28, 1784, note 1. It is not known for what purpose Pettit obtained "the following papers," but copies of them, which had been made when similar copies were transmitted by Charles Thomson to the American commissioners in France July 16, 1784, are in PCC, item 44, fols. 409–26.

David Ramsay to the Marquis de Barbé-Marbois

Sir, New-York June 7th 1785

I had the honor to receive your favor of yesterday & am much obliged to you for the valuable hint you have suggested. I would have answered it immediately but as yesterday was post day I draughted a paragraph substantially the same in sentiment with the one you did me the honor to suggest. The printer will receive this before he is up to that part of the seventh chapter where it ought to be inserted.[1] I now send you the 8th chapter, and on next Monday I shall bring with me from New-jersey the 11th, 12th & 13th chapters which contain the campaigns of 80, 81. The reduction of Lord Cornwallis & etc. As I desire to have my work perfect I receive with gratitude any intelligence, hints or suggestions that tend to improve it. The one you have given I am much obliged to you for & shall be equally so for any farther observations you may please to communicate. The chapter that I now send I propose to take with me on Friday. The others you may take your own time to look over as they are not the last copy nor are they to be used by the printer.

I have the honor to be, Your most obedient servt,

David Ramsay[2]

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 30).

[1] Ramsay was drafting his *History of the Revolution of South Carolina, from a British Province to an Independent State,* 2 vols. (Trenton: Printed by Isaac Collins, 1785) at this time and was sending portions of the manuscript to various acquaintances for correction and embellishment. The extent of Marbois' involvement in revising Ramsay's manuscript is problematical for he informed the comte de Vergennes that he had submitted up to a hundred changes while Ramsay acknowledged incorporating only "nine or ten," for which see Ramsay to Marbois, June 28, note 1. For the composition of the *History* and its historiographical context, see Ramsay, *Writings* (Brunhouse), pp. 18–19, 27–40; and Arthur H. Shaffer, *To Be An American: David Ramsay and the Making of the American Consciousness* (Columbia: University of South Carolina Press, 1991), pp. 87–90, 98–103.

[2] Ramsay also wrote the following note to Marbois on June 9: "I am much obliged to you for your remarks all of which are judicious and most of which shall be incorporated in my work. What I said respecting Commodore Gillons command was according to my best information. Truth is my object, & I will impartially examine that matter over again before it is printed. Your second note is just come to hand & the contents of it shall be

attended to & justice shall be done to Major L'Enfant. The circumstance was unknown to me or it should have been inserted." Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 30.

Joseph Platt Cooke to Amos Cooke

New York June 8th 1785. Discusses family matters, expresses concern for the health of Amos' mother, and exhorts "My dear little Son" to cultivate "a dutiful manner." "There are now six Members of Congress who board at Mr. Harts. Our accommodations are very good, and we have no rats to annoy us. We have been honored with a visit from the President and most of the Members of Congress, who all admire our Situation, which commands a Prospect of the whole City, & all the Shipping in the harbour and on the Stocks, (of which there are a very considerable number, one of which, being a Ship of about 300 tons, we saw launched yesterday) and of every Vessel that either goes out or comes in, of which we often [find near?] 50 under Sail at the same time. But amidst all these pleasing Scenes there is something that damps our spirits and casts a gloom over the whole. At about half a mile distance from our lodgings lies the wreck of a ship which was the Jersy Prison ship, from which so many thousands of our poor Countrymen, who had the misfortune during the late war to be taken prisoners were thrown. I wish I could say, buried, for then some part of the British inhumanity would have been concealed, but that was not the case. The Banks near which this Prison ship lay are high & sandy: the dead bodies of our friends only wrapped up in old blankets were laid at the bottom of the bank, and the sand drawn down over them. Soon after we came to live upon Long Island several of us took a walk that way, and were struck with horror at beholding a large Number of human bones, some fragments of flesh not quite consumed, with many pieces of old blankets lying upon the shore. In consequence of a representation made to Congress they were soon after taken up and buried,[1] But walking along the same place not many days ago we saw a number more which were washed out, and attempting to bury them ourselves we found the bank full of them. Such conduct hath fixed a stain upon the British character which will not soon be wipped off.

"The weather has been so very tempestuous this day that none of us have attempted to cross the ferry, which is the first time we have failed since we have been here."[2]

RC (NN: Miscellaneous Folders). Addressed: "Master Amos Cooke."

[1] An undated motion by Rufus King for collecting and burying the remains "of those Americans who died in captivity on board the British Prison ship called Jersey, . . . in the nearest public burial ground," which is endorsed simply "1785," was printed under the date April 29 in *JCC*, 28:320–21. As Cooke was on a visit home ca. April 21 to May 12, it seems more likely that King's motion was submitted to Congress in mid May soon after Cooke's return.

[2] Cooke's Connecticut colleague William Samuel Johnson also wrote to his son Robert Charles Johnson this day concerning a debt owed by a Mr. Hard to Johnson's friend Gulian Verplanck. Johnson Papers, CtHi.

Samuel Holten to James Bowdoin

Dear Sir, New York 8th. June, 1785.

I shall make no apology for this address Further than assuring you that personal respect is my greatest inducement.

Yesterday, by the Boston newspapers, I had the pleasure of hearing, that your Excellency was declared Governor of Masstts., & therefore, I wish you to accept my congratulations on the Acct.: & hope that your administration as chief Magistrate, may be as agreeable to yourself, as I am sure it will be happy to the good people of the state.

Altho', I have no doubt you have seen the late ordinance of Congress respectg. the western territory, yet, I will do myself the honor of enclosing a copy; this business has taken up much time, but passed unanimously at last, and I hope the gentlemen that are so sanguine in their opinions, that the sale of the lands will extinguish so great a part of our national debt will not be disappointed.

With perfect consideration & respect, I have the honor to be, your Excellencys most obedient servant,

FC (DLC: Holten Papers). In the hand of Samuel Holten.

John Kean to James Duane

Sir [New Yor]k June 8th, 1785.

There is in this City a negroe man the property of a widow lady in So. Carolina, who was brought here by a British officer & is now in possession of a Mr. Ramadge.[1] This information I have from the Negroe himself—but as I am unacquainted with what regulations may exist here, in respect to property so situated, I am at a loss how to proceed.

I therefore take the liberty to request whether the Negroe mans own evidence is sufficient to identify the property & if this is the case whether an affidavit from the proprietor in Carolina, specifying the properties never having been changed will be sufficient to recover on.

The cause of the widow and the orphan, is the cause of humanity and will apologize to you Sir for the trouble I now give you.[2]

With great respect, I have the honor to be, Sir, Yr. most Obt. most Humb Servt. John Kean[3]

RC (NHi: Duane Papers).

[1] That is, John Ramage (ca. 1748–1802), a former Loyalist officer who settled in New York on Williams St. in 1777 to become the city's leading miniature painter. *DAB.*

[2] Duane, who was mayor of New York City and presided over the mayor's court, replied immediately and the following day Kean thanked him "for yours last evening. I do not know Mr. Ramadges Christian name. I am informed he is a limner & lives in William Street. The Slaves name is Cromwell. He has assumed the christian name of Oliver to it. He was the property of Mr. Thos. Rutledge a brother of Mr. John Rutledge, who is dead. The Negroe now belongs to his widow." Duane Papers, NHi.

[3] The only other letter written by Kean in 1785 that has been found was a brief May 25 note requesting that secretary Charles Thomson "please deliver the bearer a sett of the journals of congress—but omitt the indexes," which, according to the endorsement, Thomson did the following day. PCC Miscellaneous Papers, M332, reel 9.

Massachusetts' and New York Agents' Agreement

[June 8, 1785]

And Whereas the within named John Rutledge and William Grayson have declined the within mentioned appointment and the Agents aforesaid have mutually agreed on the honorable William Flemming Esquire of Virginia and the honorable John Sitgraves Esquire of North Carolina as Judges in their stead:[1] it is hereby further agreed between the undersigned Agents of the aforesaid States that if either the said William Flemming or John Sitgraves shall not before the first day of September next declare his acceptance of the said Trust, he shall be considered as not accepting thereof and his place shall be supplied by the Agents of the Massachusetts in like manner as if he had expresly declined and from the within named Gentlemen (to witt) the honorable John Beatty, Nicholas Van Duyck, Abner Nash, William Hooper, Arthur Middleton, William Gibbons and William Houston. Done at the City of New York this 8th day of June Anno Dome. 1785.

Jas. Duane	Agents for New York	Agents for Massachusetts	J Lowell Theop Parsons Rufus King

FC (NHi: Duane Papers). In the hand of James Duane and endorsed by him: "Agreement for appointing honorable William Flemming & John Sitgraves as Judges in the place of John Rutledge and William Grayson Esquires."

[1] See New York Agents to Massachusetts Agents, June 7; and Charles Thomson to William Fleming, et al., June 9, 1785.

New Hampshire Delegates to Meshech Weare

Sir. New York 8th June 1785.

We have the honr. of transmitting the Journals, as compleat as we have been able to procure them from the Secretarys Office, and at the same time to inform your Excellency, that Congress have it in contemplation to furnish a new impression, containing those parts, which in the course of the late War have been carried to the secret Journal.[1]

We have the honr. to be, your Excellencys most obedt. Servts

Abiel Foster

Pierse Long

RC (NjMoHp: Lloyd W. Smith Collection). Written by Foster and signed by Foster and Long.

[1] Nothing came of Congress' plan to issue a new, more complete edition of the journals, but for Secretary Thomson's efforts to procure such a work see Charles Thomson to Sundry Printers, August 26, 1785.

Charles Thomson to William Barber

Sir, Office of Secy of Congress, June 9. 1785

I enclose you an Act passed by the United States in Congress assembled, empowering You to examine the accounts of such Canadian refugees as have furnished the late Armies of these States with any sort of supplies & to report thereon to Congress.[1]

I am, Sr, your Most obedt humble Servt

LB (DNA: PCC, item 18A). Addressed: "To the Commissioner for Settling the Accounts of the State of New York agst. the U.S."

[1] For the enclosed June 7 "Act," see *JCC*, 28:433. No report from commissioner Barber on this subject is in PCC, but for additional claims referred to him during this period, see Thomson's letters to Barber of June 21 and July 13.

Charles Thomson to Timothy Bradley

Sir, Office of Secretary of Congress, June 9. 1785

In answer to your petition which has been laid before Congress and

duly considered, I have to inform you that however commendable your exertions may have been in procuring supplies of provisions whilst you were purchasing Commissary, Congress cannot Order you any additional pay in Consideration thereof without establishing a precedent that might be applied to the revision and augmentation of the pay of every department of the late Army.[1]

I am Sr. Your most Obedt humble Ser.

LB (DNA: PCC, item 18A).

[1] For Bradley's January 24, 1785, petition to Congress and the February 1 committee report on it which Congress finally adopted on June 7, see PCC, item 42, 1:320–24; and *JCC*, 28:17n, 30n, 434.

Charles Thomson to Commissioners of Accounts for the Military Departments

Sir Office of Secretary of Congress, June 9. 1785

For your further direction & government I enclose you an Act of Congress passed the 7 Instant, by which you are directed in the settlement of accounts to have recourse to the principles of the resolutions of June 3, 1784 so far as they may apply.[1]

I am, Sr., Yr most obedt servt

LB (DNA: PCC, item 18A). Addressed: "To the Comrs. for settling the accots. of The Qr Master's department, The Commissarys department, The hospital department, The Clothiers department, The Marine department."

[1] For the enclosed resolve and those therein referred to, see *JCC*, 22:102–4, 27:543–45, 28:434.

Charles Thomson to William Fleming, Samuel Johnston, and John Sitgreaves

Sir, Office of Secretary of Congress, June 9 1785

I have the honor to inform you that the Commonwealth of Massachusetts have by a petition to the United States in Congress assembled prayed Congress that a federal Court might be appointed to decide a dispute between the said Commonwealth & the state of New York, Congress were pleased to assign a day for the Appearance of the said States by their lawful Agents;[1] and that the Agents, being met, have by joint consent appointed you one of the judges to constitute the court for hearing and determining the Matter in question agreeable to the 9th of the Articles of Confederation and perpetual Union.[2]

The Court is to meet at Williamsburg in the State of Virginia on the third Tuesday in November next; I must therefore request the favour of you to inform me as speedily as possible of your acceptance that a commission may be made out in due form and forwarded in Time.[3] With great respect I am, Sr, Your Most Obedt & Most humble Servt.

LB (DNA: PCC, item 18A). Addressed: "Honble Samuel Johnson Esqr, Hallifax, No C., Honble John Sitgreaves Esqr, Newbern, No C., Honble. William Fleming Esqr, near Richmond, Virginia." Endorsed: "Duplicates transmitted June 14. 1785." Additional notations indicate that Johnston's acceptance was received July 27 and that "Triplicates" were sent to Fleming and Sitgreaves on September 12.

[1] See New York Agents' Journal, December 4–9, 1784, note 7.

[2] See *JCC*, 28:440–41; and Massachusetts and New York Agents' Agreement, June 8, 1785.

[3] No response from Fleming has been found, but for Johnston's acceptance of July 8 and Sitgreaves' of August 8, see PCC, item 78, 13:347–50, 21:409–12; and *JCC*, 29:582, 776–77.

Charles Thomson to Samuel Holden Parsons

Sir, Office of Secretary of Congress, June 9. 1785

I have the honor to inform you that in pursuance of the Act of the 13 April last of which I enclose a copy, the United States in Congress assembled have been pleased to elect you their commissioner for adjusting & liquidating the Accounts of Virginia against the United States, as specified in the enclosed act.[1] The Salary allowed the Commissioner is six dollars a day so long as he shall be necessarily employed in this business. You will please to inform me as speedily as possible of your acceptance that I may make report to Congress.

I am Sr

LB (DNA: PCC, item 18A).

[1] For this June 9 "act," see *JCC*, 28:442. For Virginia's efforts to secure the appointment of additional commissioners for the settlement of the state's Continental accounts, see Virginia Delegates to Patrick Henry, April 2, 1785, especially note 2.

Charles Thomson to the States

Sir, Office of Secretary of Congress, June 9 1785

I have the honor of transmitting to your Excellency an Act of the United States in Congress Assembled for the relief of the Officers, Soldiers and seamen who have been disabled in the service of the United States during the late war.[1]

As the condition of many of these unfortunate Men, who have a claim not merely on the humanity but on the gratitude & Justice of their Country, demands immediate attention. I have the firmest Confidence that the State of ——— will take the earliest opportunity of making the provision recommended in the enclosed Act.

With the greatest respect, I have the honor to be, Your Excellency's Most obedt & Most humble Servt[2]

LB (DNA: PCC, item 18A).

[1] For the enclosed June 7 resolve, recommending "to the several States, to make provision for" these disabled veterans, see *JCC*, 28:435–37.

[2] To his letter to Pennsylvania president John Dickinson, Thomson added the following paragraph concerning the state's quota of troops for garrisoning frontier posts: "Having received no answer to my letter of the 12 April last covering the acts of Congress of the 1, 7 & 12 of that Month relative to the raising a body of troops for the purposes therein mentioned I must continue my request that your Excellency would be pleased to communicate to me the steps taken by the State of Pensylvania for raising the quota assigned, that I may be enabled to make report to Congress." PCC, item 28, fols. 94–95.

And his letter to Connecticut governor Matthew Griswold opened with the following paragraph on the same subject: "Your letter of the 4th with the Resolution of the general Assembly of Connecticut for raising the quota of troops required by the Acts of Congress of the 1, 7 & 12 April last has been duly received and communicated to the United States in Congress Assembled." Ibid., fol. 94. See also Thomson to Certain States, April 12, 1785.

Richard Henry Lee to Unknown

My dear Friend, New York June 10. 1785

By Mr. Alexander White of Frederick, I had the honor of writing to you from Trenton before Christmas last,[1] but I have not had the pleasure of hearing from you in return, which causes me to doubt your having received that letter. Our intelligence from Europe is not very interesting. The Ministry & Parliament of G. Britain seem to be absorbed in the dispute about the Commerce of Ireland, a subject of important discussion, & which will probably produce great discontent whichever way determined. Congress has sent Mr. John Adams Plenipotentiary to the Court of London for the settlement of our remaining disputes. Upon the Continent of Europe their differences appear to be settling without bloodshed—The Emperor having yielded (so far as we are informed), his claims upon the Scheld. A Plenipotentiary from Spain has arrived at Philadelphia and is daily expected here. We shall soon learn from him whether or not his Master is disposed to consent to our free use of the navigation of Mississippi with Spain. You will see in the public papers the Congressional ordinance

for selling the lands lately purchased of the Indians Northwest of Ohio for the pay[men]t of our public debt. This will offer 10 millions of Acres for Sale at a dollar pr. Acre of liquidated Certificates for debt due from the U. States. This, with the Lands to be sold hereafter between the Southern bounds of the present Sale and the Mississippi, will I hope, discharge the great burthen of debt created by the late war—And make us realy a free & independent people. We have an American Coinage in view, and a better regulation of the Post Office, with such further Treaties with the Indians as will secure peace with them, and extinguish all their claims to Land within the limits of the U. States. Having thus given you a detail of affairs here, will you permit me to enquire of you how all things do with you—does the Wheat, Oats, rye, Barley &c, &c, &c grow kindly—Are the people healthy, sociable, & happy—And above all, is my esteemed old friend General Stephen happy & in good health? If you please, remember me affectionately to Colo. Martin, Mr. White, & Colo. Thruston.[2] I am dear Sir yours with the sincerest esteem & affection,

Richard Henry Lee

RC (NHi: Miscellaneous Manuscripts).

[1] Not found. White (1738–91) was a member of the Virginia House of Delegates from Frederick Co.

[2] That is, Gen. Adam Stephen (1730–91) of Berkeley Co., Thomas Bryan Martin (1731–98) of Frederick Co., and Charles Mynn Thruston (1738–1812) of Frederick Co.

Maryland Delegates to the Maryland Council

Gent, New-York June 10th. 1785

Inclosed is the Extract of a Letter from Mr. Jefferson containing Information, the Knowledge of which may be beneficial to the mercantile Part of our State.[1]

We are, Gent, with great Respect, Yr. very humble Servts.

James McHenry

J Henry.

Wm. Hindman

RC (Herbert E. Klingelhofer, Bethesda, Md., 1986). Written by Hindman, and signed by Hindman, Henry, and McHenry.

[1] The only known letter from Jefferson recently received in New York containing information which might have been that enclosed herewith for the benefit of Maryland merchants, was one of April 15 to James Monroe in which he incorporated a "table of the proportion between the value of gold and silver in several countries," for which see Jefferson, *Papers* (Boyd), 8:90.

Richard Henry Lee to the Marquis de Lafayette

Dear Sir, New York, June 11th, 1785.

I have been lately honoured with your letter of March 16th, from Paris,[1] and I thank you for it; as I feel myself much interested in your happiness, so your letter gave me singular pleasure, when it informed me of your "being well and happy, with your family and friends," and the more so, because a rumor had prevailed, of some accident having happened at sea, to the frigate that carried you from hence. It is with great satisfaction, that I consider any action of my life, that has proved agreeable to you, and I am very sure, that the good you have done my country, has much more than repaid my attentions to you. I am pleased that you think of coming to see us again; it is certain, that numbers will be made happy here, when ever you are pleased to visit these United States. Much praise is due to those, by whose humanity, and powerful agency, a war in Europe has been prevented, for had it taken place, I apprehend that the evil would have been great and very extensive. It is unfortunate for the friendly intercourse, and general benefit of mankind, that the avaricious spirit of commerce, always aiming at monopoly, should be permitted to interpose such obstructions as too frequently take place in the intercourse of nations, much to the injury of human nature, in general. It seems to me, that whilst the European nations have it in their power, to supply these states so largely with manufactures, that it is unwise to adopt such regulations as cramp the American trade, and therby render us incapable of purchasing, and paying for, those manufactures in so extensive a manner, as would certainly be done, if commercial restraints were removed; this conduct on the part of Europe tends to injure their manufactures, by lessening their sales, at the same time, that it very much forces the Americans from agriculture to arts, thus rendering scarcer and dearer, the American productions that are wanted in Europe, and lessening the use of European manufactures in America, which it should be the policy of Europe to encourage the use of. It is very obvious, why the merchants of France, have not so great a share of our commerce as they wish; the staple states, or those which have much valuable produce to export, have at present but few ships and seamen of their own, and consequently, do not now export themselves much of their own produce; those nations, therefore, that push the trade with them, by sending ships and merchandise to them, will for the reason above, certainly possess at this time, the greatest share of their trade; so that the fact is, that the British merchants, are those chiefly, who bring us the cambricks and many other manufactures of France, which the French merchants failed to export themselves, although they might afford to sell them cheaper and better, than the English, and of course drive the latter from this branch of trade at least. The

plan for opening the navigation of the western waters, goes on well—already more than 40,000 pounds are subscribed for opening the Potomac, and General Washington, is chosen president of the society, that superintends that business. The settling a mode for surveying and selling the fine country, north-west of Ohio river, for the purpose of discharging our public debt, is an object that hath engaged much attention of Congress, and promises, we think, in due season, to remove the debts created by the last war. Mr. Gardoque, from Spain, is arrived at Philadelphia, and we daily expect him in this city; it is to be hoped, that the good sense and honour of this court, will finally settle into such measures, as are just and reasonable. I have the honour to be, my dear sir, with sentiments of the truest affection, esteem and regard,

Your most obedient and very humble servant,

Richard Henry Lee.

MS not found; reprinted from Richard H. Lee, *Memoir of the Life of Richard Henry Lee,* 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:66–67.

[1] This letter is in the Lee Family Papers, Vi; and ibid., pp. 109–10.

Richard Henry Lee to Thomas Lee Shippen

My dear Nephew, New York June 13. 1785

Your favor of June the 11th has been just now put into my hands, and had it come sooner would have renderd unnecessary some parts of my letter to you of yesterday,[1] which, with this will be delivered by Mr. Joseph Harrison. I am very sure that without incurring the smallest danger of being charged with self applause, I can safely appeal to all those acquainted with my political progress, for a full testimonial that neither indolence, inattention or *neglect* have marked my proceedings—And most certainly I should not have first commenced such practice with so respectable a character as Doctor Franklin. When Congress determined to indulge the Doctor, upon his request, with leave to retire, the business of communicating that determination was expressly assigned to the Secretary for foreign Affairs among the other duties of his Office[2]—And did not enter at all into my business. In me it would have been a work of Supererogation and I think myself warranted in doing justice to the honorable Secretary for foreign Affairs by assuring you that his information was sent by the earliest good opportunity that offered after the Act of Congress passed.[3] I thank you for your obliging attention to my affairs—but you say nothing about the covering for my Charriot—is it gone, or in what State is that affair? The Gout shoes are come & I believe will answer well. God bless you. Farewell, Richard Henry Lee

RC (DLC: Shippen Family Papers).

[1] Not found.

[2] See *JCC*, 28:13–14, 122, 189–90.

[3] In a postscript to a June 22 letter to Shippen, Lee confirmed that "I have spoken with Mr. Secretary Jay and he assures me that he sent by the first Packet that sailed after the Act of Congress passed a Notification to Dr. Franklin that he had leave to retire—How causeless then, & how improper was a censure placed on me in whose department it was not, and when he in whose line it was, had actually done it?!" Shippen Family Papers, DLC. Lee, *Letters* (Ballagh), 2:375.

Richard Henry Lee to William Short

Dear Sir, New York June the 13th. 1785

I am much obliged by the goodness with which you have been pleased to remember, and to comply with my request that you would write to me, and I am thereby encouraged to hope that your correspondence will be continued. It may always be safely conveyed, even when I am away from Congress, by enclosing your letter to the Virginia delegates in Congress. It is a point of much uncertainty whether Congress will adjourn or not this Summer—but if they do, it will probably not be before the middle of August. When they adjourn I shall go home, but if they do not adjourn, I shall of course be detained here until the end of the federal year, the first Monday in November. The very great uncertainty to which the conveyance of letters is exposed under the present System, discourages exceedingly all free communication of sentiments. And upon this occasion, as Mr. Mazzie will probably visit you at Paris, he will render unnecessary much writing on my part respecting Virginia; as he has come from that State long since I left it. The principal topics of discussion there at present are, An Act for a General Assessment—A Circuit Court Law—And a plan for opening the interior navigation of Potomac, James, & Elizabeth rivers. The two former were favored by the last Assembly, but meet with much opposition since the recess. The latter of these measures was also a favorite with the last Assembly, and the Legislature of Maryland has joined ours in the Potomac business. How they succeed in the South I know not. But already £40,000 has been subscribed for clearing Potomac. A Corporation for the purpose is ligitemated, and Gen. Washington is President of the Society. You well know his persevering spirit, and attentive character. These qualities promise success to the Potomac plan. Congress has just finished an Ordinance for surveying & selling that part of the Land N.W. of Ohio that has been lately purchased of the Indians, for the purpose of discharging our public debts. This will present about 10 Millions of Acres for sale at one dollar an Acre of Liquidated Certificate debt. Subsequent treaties to be held with the Indians will extinguish their claim to about 20 millions

more which it is intended to devote to the same purpose, & which will very nearly pay off our whole domestic debt. The foreign will then not be found oppressive. An American Coinage, & the regulation of the Post Office, with some other affairs of importance are now under consideration of Congress. We hope that the powers & directions given by Congress to our Ministers abroad, will secure peace for us with the Barbary States and free our Trade from the embarrassement threatened by them. I incline to think however, that Commercial finesse has been more operative than the enmity of those people to distress the American Commerce.

Being much engaged with public business at this time, I must conclude with presenting my best respects to my old friend Mr. Jefferson.

I am, with much esteem, Sir, Your most obedient & very humble servant, Richard Henry Lee.

RC (PHi: Dreer Signers Collection).

Samuel Hardy to William Short

Dear sir, New York 14th June 1785.

Your favor of the 29th of January, which is the second only I have received from you since your arrival in Paris came to hand a few days ago. It would have reached me rather earlier; but I have been detained in Virginia during the Months of April & May in making some small advances in the line of my profession previous to my leaving Congress.[1] I saw your Brother Peyton & the most of your friends & have the pleasure of informing you they were well.

As to any great fund of public information you will scarcely expect it from this quarter. We have but little that is worth giving, but even that little it is imprudent to commit to paper but in Cypher: I have every reason to suspect that your last letter had been opened before I received it. I cannot however forego the pleasure of informing you that I think our Affairs on this side the Water begin to take a more favorable turn. Public Credit is encreasing, & the fœderal Government begins to acquire some small degree of respect. Could we but rescue our Commerce from the restrictions to which it is subjected in several ports of Europe but more particularly in those of Great Britain, the effects would be immense.

As to the policy or situation of particular states, removed at the distance you are I presume they hardly come within your view: under this presumption I shall but slightly mention to you two or three subjects which engross the Minds of the Citizens of Virga at present. The Port bill as it is termed, I think had passed before you left America; it is

one among several other things that seems to have given birth to a spirit of Enquiry in the State of Virga that I think may be productive of future good. The Bill for instituting Courts of Assize has also become a subject of almost general discussion; The laws for opening James & Potomack Rivers I make no doubt but you have heard of; The latter I presume will be began some time this summer.

Believe me My dear sir I shall not be inattentive to the Subject of the Postscript you enclosed. Indeed I had anticipated the request it contain'd very long before it came to hand.[2] The only difficulty that will oppose itself on the first Appointment of the kind that is made, will be the Grandson of Doctr. F——klin & Colo. Humphreys. The Character in which the first of these Gentlemen has long acted, & the one in which the latter was sent to Europe aided by an honorary engagement on the part of Congress to Gen. Washington, to make some provision for him, will I expect be considered as giving them the first Claim for preferment in that particular line. After this, a road will be opened for you, & be assured I shall not let an Opportunity of serving you pass, during my continuance in Congress.

Several of my friends in Virga enquired how long you would be absent from America & whether I conceived you would return in time to succeed either Monroe or Myself in the Appointment we hold at present. Adieu My dear sir, I shall write you with as much punctuality as I can: but the Missing of a single Opportunity or two you must not attribute either to a diminution of friendship, or a disinclination to correspond. The business of Congress & some Measures which I am taking preparatory to settleing myself very much engross me. Once more Adieu, S Hardy

P.S. I forgot to mention that Judge Dandridge is dead & Tazwell succeeds him on the bench.

P.S. I this day brought on the question of Appointing a Minister to the Hague;[3] merely to collect the sentiments of Congress relative to foreign appointments in general. The views of Gentlemen on this subject appear various indeed. Some are for having Ministers plenipotentiary at the several Courts of Europe. Others are against adding to the number of those already appointed. Some are decided on the propriety of appointing a Secreatary to each Minister (as a Secretary to the Legation) so soon as they become fixed at the different Courts where they are to reside: & others are averse to such appointments on the ground of Œconomy & a supposition that private Secretaries only will be sufficient. With an Eye to this particular business I some time ago advocated the appointment of a Secreatary of legation to the Court of London. And on its being very easily carried did conceive the principle so well established that my surprize was great at the Opposition it has now indirectly met with. But whatever may be the System I shall act for you as under similar Circumstances I should wish you to do for

myself: I shall not risque a nomination without a pretty good ground of success, nor shall I omit any Opportunity that appears to promise it. Present My Most friendly regards to Mr Jefferson, & assure him that my not writing him arises only from a Conviction that he has from Monroe every information which I could give him, & that too numerous a train of Correspondents is rather a source of Embarrasment than pleasure. S. H.

RC (DLC: William Short Papers).

[1] Hardy had been absent for more than nine weeks, for which see Hardy to Short, April 5, note 2.

[2] Short was seeking a diplomatic post, but became Jefferson's private secretary in September, for which see Jefferson, *Papers* (Boyd), 8:445, 454, 546–47, 593.

[3] Charles Thomson did not record Hardy's introduction of this "question" in the journals for this day, but for the ongoing debate over the appointment of a minister to the Netherlands, see James Monroe to Thomas Jefferson, April 12, note 6.

Charles Thomson to John Jay

Sir Office of Secretary of Congress, June 14th 1785.

The Letter to his Most Christian Majesty as reported has been agreed to. I enclose a Copy that you may have a draught prepared.[1] It is the pleasure of Congress that it be signed by the President and Counter signed by you, and that the seal of the United States should be used in sealing the letter.

With great respect &c, C.T.

LB (DNA: PCC, item 18A).

[1] For the enclosed letter adopted by Congress this day in response to Louis XVI's announcement of "the birth of a son, the Duke of Normandy," see *JCC*, 28:457–58.

William Grayson to William Short

Dear Sir New York June 15th. 1785.

Your favor by the packett has been duly recieved for which I am much obliged to you, and I make use of this opportunity by Mr. Mazzei to answer it.

I arrived at this place early in March, since which nothing of any great importance has taken effect except the land ordinance which is herewith inclosed. A difference of sentiment between the Eastern & Southern part of the Continent & an imaginary difference of interests has made the Ordinance less perfect than it might have been. Congress are about directing a treaty to be held with the Western Indians at Post Vincent on the Wabash this summer for extinguishing their

rights to the territory between the Miami & Missisippi; should this be effected, I expect the Ordinance will be made to apply to that country, immediately as the paying the domestic debt in this way seems to be an object which every one has very much at heart. Indeed the necessity of the measure is glaring, for while the Taxes continue high, we shall have no emigrants from beyond seas, & the want of inhabitants is perhaps our only calamity. A very considerable part of No. Carolina has revolted; They have assumed the powers of governmt. & a Capt. Cocke was here the other day with authority from them to solicit admission.[1] Georgia has laid off a county on the Missisippi called Bourbon & settlers are gathering fast about the Natches.[2]

There is a report that the province of Maine begin to make speeches respecting independance; Vermont remains as it did when you left this.

Inclosed is the report of a Commee. for altering the 9th article of the confederation.[3] 8 States will be for it, but whether or not it will suit the 5 Southern States, is a point very questionable: perhaps some modification may be found out that will make it palatable. As the sending this report is against rule, I hope you will take good care that it is not made public indeed I think it would be best to keep it a secret. It seems to be a doubt in Congress whether the instructions to the Commrs. ought not to be changed. The principle of making treaties & granting to all the right of the most favored nations, begins to be disputed. This though entre nouz, & what I would not chuse should be mentioned to any one.[4]

Congress have had two ineffectual tryals for the election of a Minister to the Hague vice John Adams—Rutledge of So. Carolina, Governor Livingston & R. H. Harrison of Maryland the persons nominated.

As the Dutch Minister grows uneasy I think that Rutledge will be elected very soon, & in all probability to-day.[5]

Don diego de Gardoqui, chargé des affaires from the Court of Spain is arrived at Philada.[6]—& is expected here every day; what are the objects of his mission, we are at a loss to determine.

I have the pleasure to inform you the subscriptions to the Potowmac Co. goes on well: At a meeting the other day, it was found that forty three thousand pounds were subscribed: They are therefore by the Act established a Company. Genl. Washington is elected President & there is a good prospect of success.[7] I imagine you must have heard before this, that an American vessel had arrived here in four months from Canton in China laden with the manufactures of that Country: & that our countrymen at that place had as much respect & civility shewn them as those of any other nation. The opinion here is that this trade can be carried on to great advantage.

I remain yr. Affec. frd & most Obed Serv, Willm. Grayson.

[*P.S.*] I inclose also the journals of Congress. W.G.

RC (PHi: Dreer Members of Congress Collection).
[1] See Richard Dobbs Spaight to Richard Caswell, June 5, note 1.
[2] See James Monroe to James Madison, July 12, note 2.
[3] See James Monroe to James Madison, December 18, 1784, note 6.
[4] See Monroe to Thomas Jefferson, April 12, note 5.
[5] See ibid., note 6.
[6] See Richard Henry Lee to John Adams, May 28, note 2.
[7] See Washington, *Papers* (Abbot), Confederation Series, 2:562–67.

Samuel Holten to Moses Gill

My dear Sir, New York, 15th June, 1785.

Some time since, I was honor'd with your address of the 5th ultimo; And agreeably to your request, I have procured the money of the Prest. of Congress (a few days since) upon your bill, being the sum of nine pounds 18/3, Masstts. cury.,[1] and for which I consider myself Accountable to you.

I have lately seen a list of the Govr., Lt. Govr. & Counsellors of Masstts., & I think you can't but be happy in your new political connexions; and be assured I wish you every other happiness.

Please to make my respectful compliments to your lady.

I remain, with perfect consideration & respect, your friend & humble servant

FC (MHi: Holten Papers). In the hand of Samuel Holten.
[1] There is no mention of this transaction in the journals or papers of Congress.

New York and Massachusetts Agents to Samuel Johnston

Sir, New York 15th June 1785

We hope the notification of your appointment as one of the Judges in a controversy between the states of Massachusetts and New York transmitted by the Secretary of Congress will have been received before this reaches you.[1]

The magnitude of the interest to be decided upon makes it the wish of both states that the determination may be had by a full court and not a bare quorum.

A federal court is the only mode of decision on questions of territorial rights between the states and should gentlemen of the first abilities and the mutual choice of the contending states decline the appointment this institution however beautiful in theory will sink into

disrespert and become incapable of yielding those advantages to the confederacy which have been expected.

Impressed with these sentiments we solicit your attendance as one of our Judges at the time and place mentioned in the official communication of the Secretary of Congress.

Although we consider the pecuniary compensation as the least inducement to your attendance, yet we beg leave to assure you that it shall be such as will give the most entire satisfaction.

With the highest consideration we have the honor of being, Sir, Your most obedient servants,

Jas. Duane John Jay. Walter Livingston	Agents for New York	E. Gerry S. Holten Rufus King	Agents for Massachusetts

RC (NcU: Hayes Plantation microfilm). In a clerical hand and signed by Duane, Jay, and Livingston and Gerry, Holten, and King.

[1] See Charles Thomson to William Fleming, et al., June 9.

David Ramsay to Thomas Jefferson

Sir, New-York June 15th 1785

Presuming on a slight acquaintance with your excellency in the year 1782 or 1783 in Philada. by the introduction of our common friend Mr Madison I take the liberty to inclose a part of a work which is now in the press written by myself and entitled the "History of the revolution of South Carolina from a British Province to an Independent State."[1] It originated when I was in confinement in Augustine in the year 1781 and has employed my leisure hours ever since. I am printing it at my own risque & expence & have already advanced above fourteen hundred dollars for it. When completed it will consist of two volumes & will contain over and above the civil police of South Carolina the whole of the Military operations in Georgia & both Carolinas & also the reduction of Lord Cornwallis in Virginia. The importance of the subject & of the contents of the second volume is great, & may perhaps excite the public attention. Your Excellency knows the infant state of literature in the United States & the risque a person runs who undertakes a work of this kind without subscription. I have from principles of delicacy perhaps excessive avoided this; but it is no part of my plan to lose by my publication. It has cost me a considerable sum of money & a great deal of labor. What I wish upon this occasion is to concert with your Excellency the best plan of introducing it into France. M. De Marbois the Consul General has seen a great part of it &

approves it & had it not been for an accident a copy of what is printed would have gone from him to General Chattelleaux with a recommendation that he should have it translated & published in France.

I would thank you for your candid advice on the subject. Would it be best to send over a number of copies in English & if so to whose care should I address them? Or would it not be more advisable to contract with a printer & translator & have a French edition of it. The French nation will have no reason to dislike it as it contains many things to their credit & much to the dishonor of the British on the score of their plunderings & cruelties in South Carolina, all of which are circumstantially related. If you think that a translation of it would be well received I would be obliged to you for engaging on my part with a printer & a Translator so as to give us all an interest in the profits of the sale on equitable conditions. The work will be finished in this country by the middle of August. It will contain about 700 pages octavo & will be in two volumes. If it should be translated it might very well be comprised in one volume & several local matters omitted as uninteresting to foreigners. I send you by this conveyance all of it that is printed & the successive packets shall take the remainder as fast as it comes out. The printer does about forty pages a week. The importance of the materials of my work, the circumstance of its being the first of its kind together with the prepossession the public will have for an history of the late revolution written by a member of Congress will introduce it notwithstanding its imperfections under favorable circumstances to the public. It has occurred to me that a pirated European edition might not only defraud me of my just rights but also involve me in considerable expence as that could be afforded much lower than an American copy. I therefore propose to be aforehand with them, & if any advantage is to be made of the work in Europe I think myself entitled to it preferably to a piratical printer.

I submit the whole matter to Your Excellency. If you think any advantage would arise from a French edition I will be obliged to you to set forward the work so as that it may appear soon after the American edition which would perhaps check piratical adventurers. If you think it would not answer I shall be contented. At all events whatsoever engagements, you make on my behalf shall be faithfully executed by me & you shall receive my most grateful acknowledgements. I am sorry for the trouble I propose to your Excellency but hope you will forgive it as I could not with propriety apply to any other person.[2] I am again in Congress for this year & shall receive any answer with which you may honor this letter in the city of New-York. With the most exalted sentiments of esteem for your public & private character I have the honor to be, your Excellencys most obedient servant,

David Ramsay

RC (DLC: Jefferson Papers).

[1] For which see Ramsay to the marquis de Barbé-Marbois, June 7, 1785, note 1.

[2] For Jefferson's reply to this and Ramsay's letters of July 13 and August 8, see Jefferson, *Papers* (Boyd), 8:457–8, 629.

Samuel Holten to James Bowdoin

Sir, New York, 16th June, 1785.

The enclosed application to Congress came to hand yesterday, it produced no determination, but was delivered to the delegates of Masstts.;[1] & it has been thought adviseable by them; that your Excellency & the Honorable court should be made acquainted therewith; & for that purpose I have forwarded the same.

With the most perfect consideration & respect, I have the honor to be, your Excellency's most obedient servant, S. Holten

RC (PHi: Gratz Collection).

[1] The enclosed "application" has not been identified.

James Monroe to Thomas Jefferson

Dear Sir New York June 16. 1785.

By Colo. Smith Secry. to the London Legation I wrote you in April last very fully upon our transactions previous to that date.[1] I also enclos'd you the journals that were then printed with the copy of a report upon the first paragraph of the 9th of the articles of Confideration proposing a change in it and the absolute investment of the U. S. with the controul of commerce. I now enclose you a copy of the journals as well those sent by Colo. Smith, as those since printed, likewise an ordinance for surveying and disposing of the lands beyond the Ohio. Unfortunately I have not been able to command my cypher from Virga. so that yr. communications in the last & preceding letters, have been hid from my view.[2] I left it with Mr. Jones who hath plac'd it among his papers but where he knows not. He promises to search agn. on his return home which will be shortly. I hope to receive the one by young Mr. Adams wh. will terminate the difficulty. The report upon the 9th article hath not been taken up. The importance of the subject & the deep and radical change it will create in the bond of the union, together with the conviction that something must be done, seems to create an aversion or rather a fear of acting on it.[3] If the report shod. ultimately be adopted it will certainly form the most permanent & powerful principle in the confideration. At present the alliance is little

more than an offensive and defensive one, and if the right to raise troops at pleasure is denied, merely a defensive one. The political œconomy of each State is intirely within its own direction and to carry into effect its regulations with other powers to attain any substantial ends to the State they must apply as well to the States of the union as other powers—and such a course as this will produce very mischievous effects. On the other hand the effect of this report will be to put the commercial œconomy of every state intirely under the hands of the Union. The measures necessary to obtain the carrying trade, to encourage domestic by a tax on foreign industry, or any other ends which in the changes of things become necessary will depend intirely on the union. In short, you will perceive that this will give the union an authority upon the States respectively which will last with it & hold it together in its present form longer than any principle it now contains will effect. I think the expedience in a great degree of the measure turns on one point (especially to the southern States) whether the obtainmt. of the carrying trade and the extention of our national resources is an object. And this depends entirely upon the prospect of our connection with other powers; if like the empire of China we were seperated and perfectly independent of them it might perhaps be unnecessary: but even in that event a question arises wh. may be of consequence, "whether the giving our own citizens a share in the carrying trade will not otherwise be advantageous to them than as it obtains the particular object wh. the regulations necessary to effect it have in view; whether it will not in effect encrease the value of land, the number of inhabitants, the proportion of circulating medium, and be the foundation upon which all those regulations which are necessary to turn what is call'd 'the balance of trade' in our favor, must be form'd." A preference to our own citizens is the foundation of the carrying trade and upon it I suspect will depend all these consequences. Yet an opinion seems to be entertain'd by the late commercl. writers and particularly a Mr. Smith on the wealth of nations that the doctrine of the balance of trade is a chimera in pursuit of wh. G. B. hath expos'd herself to great injury. If it shod. be found that the carrying trade was only useful as it ad[d]ed to the national strength & it of no great consequence, I shod. suspect that the apprehensitions already entertain'd and which will no doubt form great embarrassment to the passage of this or any such measure, should have great weight—"that the pursuit of this object will put it in the power of those States more immediately interested in it, to carry the regulations further than the attainment of it may make necessary, so as to give them advantages that will be almost exclusive and operate essentially to our prejudice: so as to lessen the price of our produce, discourage its cultivation and throw the monopoly in the purchase principally in their favor." Whether this under the report will probably be the case or possibly is doubtful: the

regulation of the fishery is as much under our controul, even without the bounds of the States, as the tobo. of Virga., and all the states have produce, so that I am inclin'd to hope that the productions of the south, though disproportionate to that of the East, wod. not induce, more especially as the revenue accrues to the State, and not the Union, any unequal restrictions. The subject [is] of great magnitude and I very earnestly wish to hear from you on it before it obtains its fate and this I am persuaded may be the case especially if the letter by Colo. Smith obtain'd a ready conveyance. I inform'd you in my letter by Mr. Smith that a Committe was appointed to revise the instructions subsisting to our commissrs. authoriz'd to form commercl. treaties and report what alterations if any were necessary. This Committee hath reported and repeal'd the two first articles. I think it will be adopted. As I have no cypher I cannot risque anything upon this head further than to observe that the letter I allude to will serve to give you some idea of the alteration. It is prefac'd with reasoning upon the propriety of the alteration, upon which it is form'd and of course if the reasoning is illy founded the superstructure falls to the ground. I hope the whole will either be adopted or negativ'd, for it will, if adopted, enable our ministers to investigate the truth of the positions and represent them to us, which their situation enables them to effect.[4] There seems in Congress an earnest disposition to wind up our affrs. as they respect foreign nations, exclude their interests totally from our councils, and preserving our faith with the utmost punctuality with those to whom it is plighted make such regulations as will effectually promote our interests. Information and a knowledge in what it consists are the only points in which they are defective. I have never seen a body of men collected in which there was less party, for there is not the shadow of it here; I think there will be no adjournment and I sincerely wish there may not be for I fear it will not be easy to collect men from the States with more upright intentions. That you may have in view whatever is in agitation respecting the western country, to judge of the system, if there is one, I enclose you the copy of a report now before Congress wh. comprehends whatever is propos'd to be done respecting it, for the present.[5] Upon the report of the Indian Commissrs. the matter will again be taken up and then it will be determin'd what authority Congress will exercise over the people who may settle within the bounds of either of the new States previous to the establishment of a temporary govt, whether they will leave them to themselves or appoint majistrates over them. I think the enclos'd report will be adopted: it hath been several times before Congress & each time there were 8 states; tomorrow it is believd there will be 9. The plan of a requisition is before Congress.[6] The States have fail'd essentially during the last year in making their payments. Virga. hath pd. I believe more than all the rest. The present plan is the pressure

of the requisition of 8,000,000 as was that of the last year. The amt. necessary for the current year abt. 3,000,000. 1. for the interest upon the foreign debt & expences of govt. & 2. the domestic debt. For the latter purpose facilities are propos'd to be admitted. I must confess I doubt the propriety of pressing old requisitions & think it wod. be better to ascertain what had been pd. by the several States upon that requisition, & upon the apportionment under it, what claims those paying most had on the others, and then begin anew making also a new apportionment; this wod. be more simple & better understood. I am also rather doubtful of the propriety of doing anything whatever in the domestic debt. Several of the States, Pena. in particular hath appropriated her money to her own citizens only. From her & the other States, taking the same course, we shall have no support. It appears then better to recommend it to the States to take on themselves the debts of the U. S. to their citizens respectively, let them be pd. by State operations & then after liquidating the whole, and the quota of each is ascertain'd, of the proportion of expences, of the late war, let the balance which either shall have advanc'd beyond its proportion be paid it by the union. This is a new idea nor do I know that I shall suggest it further, but perhaps may hereafter more especially if it shall appear founded in justice and expedience. During the recess of Congress last year No. Carolina made a cession of territory to the U. S. authorizing her Delegates to make the deed. Before Congress conven'd she repeal'd it. Lately a motion was made & a report upon it accepting the cession supposing the acceptance conclusive on the State.[7] I was surpris'd to find it had so many advocates, there being six States in favor of it. I suspected it wod. have again been taken up but was agreeably disappointed. The act gave Congress a year to accept it in & uses the term at the end of it "provided it shall not be accepted within that term it shall revert to the State." Yet I wod. not conceive it obligatory on the State untill accepted by U. S. and of course untill that event within the controul of the State. The people within the said territory had seperated themselves from the State & declar'd themselves an independent state under the name of Franklin; their agent was also here at the time upon that subject.[8] He recd. no countenance whatever, and all that was done relative to it was to renew the recommendation to the State to make a 2d cession. It is in contemplation to send a committee to No. Carolina and Georgia upon the subject of western land & of finance to press their attention to those subjects.[9] But of this as well as of the other objects to which their attention may be turn'd I will write you more fully in my next. The great points which will be before the Union as well in those lines as that of commerce will perhaps have taken their ultimate direction here in a few months or in the course of the year and then the several legislatures will be the theatre of investigation. Committees of Congress may per-

haps expedite their passage. I shod. not have wrote thus freely without the cover of a cypher but from the confidence I repose in Mr. Mazzai. He will deliver it to you personally. He hath been here about a fortnight and sails today in the packet. I have been much concern'd for an accident which happen'd to him here. While with us one evening his room was forc'd open & his trunk with papers & money taken out. He recovd. every thing except abt. 40 guineas. As my colleagues write Mr. Short I must beg his excuse for the present. I hope he is well. I am with great respect & esteem yr. affec. friend & servt.,

Jas. Monroe

RC (DLC: Monroe Papers).

[1] See Monroe to Jefferson, April 12.

[2] That is, Jefferson's letters of February 6, March 18, and April 15, for which see Jefferson, *Papers* (Boyd), 7:637–40, 8:42–44, 89–90.

[3] For which see Monroe to Jefferson, April 12, note 4.

[4] Ibid., note 5.

[5] For this March 14 report, see ibid., note 11.

[6] On June 13 Congress had revived the grand committee on the requisition referring to it their recommitted report of April 14 and the Board of Treasury's June 7 report, for which see *JCC*, 28:264–67, 443–52, 457n.

[7] See Richard Dobbs Spaight to Richard Caswell, June 5, note 2.

[8] Ibid., note 1.

[9] No proposal to this effect is on the journals.

Charles Thomson to William Denning

Sir Office of Secry of Congress, June 16. 1785

The United States in Congress assembled having been pleased to refer to you Mr. Hays application respecting the mode of settling his account,[1] I enclose you his memorial on that subject and am, Sr. &c,

C.T.

LB (DNA: PCC, item 18A). Addressed: "The Comr. for settling the Accots. in the quarter master's departmt."

[1] A May 16 memorial from Udny Hay, representing that he was "Entitled to all the Priviledges and Emoluments of a retiring Lieutenant Colonel," is in PCC, item 41, 4:289–91. For the committee report on Hay's claims and their ultimate settlement in July 1788, see *JCC*, 28:401, 29:652–53, 34:350.

Charles Thomson to the Indian Commissioners

Gentlemen, Office of Secretary of Congress, June 16th. 1785

I have the honor of transmitting you an Act passed yesterday by the United States in Congress assembled, by which I flatter myself you will

be able to accomplish their views in the proposed treaty with the western Indians.[1]

I am Gentlemen, Your most obedt. & Most huml servt., C.T.

LB(DNA: PCC, item 18A). Addressed: "The Honorable The Commissioners for Indian Affairs in the Northern & middle Depts."

[1] By terms of the enclosed June 15 resolve, Congress had authorized the expenditure of an additional $3,000 for the purchase of goods for gifts to the Indians in forthcoming negotiations with tribes in the middle and northern departments. See *JCC,* 28:459–62.

Charles Thomson to John Jay

Sir, Office of Secretary of Congress, June 16th. 1785

I have the honor to inform you that the United States in Congress Assembled have upon reconsideration, been pleased to discharge me of their order for printing Mr Shaws Letter, and have referred to you so much only of the report on his Letter, as respects the "informing Mr Shaw that Congress feel a peculiar satisfaction in the successful issue of this first effort of the Citizens of America to establish a direct trade with China which does so much honor to its undertakers and Conductors."[1]

I therefore enclose Mr Shaws Letter and return to you the two pieces of Silk which accompanied it.

With great respect, I am, Dr Sir, Your Most obet. & Most hum servt.

Cha Thomson

RC (DNA: PCC, item 55).

[1] Samuel Shaw had sent Jay an account of his historic voyage to Canton in the *Empress of China,* which had been sent to Congress by Jay on May 30 and referred to committee. The committee recommended on June 9 that "so much of Mr. Shaw's letter as respects the voyage to and from Canton be published" and that Jay should inform Shaw of the "peculiar satisfaction" Congress felt upon the occasion, but on June 15 Congress rejected the former recommendation leaving Jay only to signify their approval of Shaw's undertaking. See *JCC,* 28:407n, 442–43, 463n; and PCC, item 80, 1:197, item 120, 1:281–89.

Rufus King to Timothy Pickering

Dear Sir New York 17th June 1785

Whether Mr. Hillegas will come on to this city is yet uncertain, but must be determined very soon. He will reside here, or go out of office.[1] Should the latter event happen, I do assure you that my duty

would not be more faithfully discharged in the appointment of a successor to Mr. Hillegas than by aiding your election.

An opinion which previous to the receit yours by Doct. Craigie, I had given touching the conduct of Mr. Hillegas, had drawn upon me the imputation of wishing him a successor, and at this time prevents my sounding the opinions of gentlemen on your subject. But should Mr. Hilllegas resign or be dismissed, I shall be at liberty to pursue my wishes and your interest.

Doct. Cockran of this City, I believe has in view this appointment; who, if any person, will support his pretensions I am uninformed.

Believe me Sir with great esteem your obedient servant,

Rufus King

RC (MHi: Pickering Papers).

[1] The failure of Michael Hillegas, the treasurer of the United States, to move his office from Philadelphia had long inconvenienced other Continental officials, particularly the treasury commissioners, who had repeatedly urged the necessity of his removal to join the other Continental offices in New York. Hillegas' obvious competence and the difficulty of obtaining effective and reliable civil servants had previously led Congress to acquiesce in his pleas for more time to settle his "private affairs" before moving, and this muddle was allowed to persist through the summer and autumn of 1785. Having failed in April to effect Hillegas' removal to New York, exasperated treasury commissioners Walter Livingston and Samuel Osgood sent another appeal to Congress on June 3, which was referred to a committee consisting of King, Samuel Holten, and Charles Pettit. King's report, read in Congress June 20, recommended Hillegas' resignation, but it was simply filed and the matter was allowed to drag on. Another attempt by Livingston and Osgood in August had a similar result, but Congress' patience was eventually rewarded in October when Hillegas finally set up office in New York, ultimately retaining his position as treasurer until 1789. The story can be traced in documents in PCC, item 78, 12:395–402, 423–25, item 140, 2:41–43, item 141, 1:361–66; *JCC*, 28:318n, 353, 426–27, 469, 29:499n, 651n; and Charles Thomson to Hillegas, August 5, 1785.

King is here responding to Pickering's letter to him of June 9, soliciting the treasurer's office "if such a vacancy should happen," which is in the King Papers, NHi. Pickering's June 19 reply is also in the King Papers.

Samuel Holten to William Hoskins

Sir New York, 18th June, 1785.

I have been favor'd with your kind & polite attention of the 8th instant & feel myself under obligations.

Govr. Hancock & his Lady's remembrance of me, I consider as one of the first favors, & what add to it, is, the polite manner in which you communicated the same.

Upon the receipt of your letter I wrote to the honorable Mr. Osgood upon the subject of Mr. Hillegas's affair,[1] since which I have conversed with him, & find that nothing has been done since you left us, as Mr. Hillegas has not returned to this city, nor had I reason to think

from what Mr. Osgood said, that any thing would be done to answer the purpose, untill Mr. Hillegas's accounts were settled, & that I consider as uncertain, it may be in a short time, & it may not be this number of years: I told Mr. Osgood my opinion freely upon the matter, which was, that if the note was payable to me, as it was to Mr. Hancock I should put it in suit, however I think it may be adviseable to wait untill the board of treasury report to Congress upon the subject.[2] Your polite acknowledgments of favors rec'd from me, I consider as the natural products of a mind like yours; & please to be assured that it will always give me pleasure to render you services.

I remain, with great respect, your most obedient

FC (MHi: Holten Papers). In the hand of Samuel Holten.

[1] The following draft of this letter is in the Holten Papers, MHi.

"Dr. Holten presents his compliments to the honorable Mr. Osgood, & requests to be informed (not officially) whither any thing has been done by the board of treasury, respecting an application to Congress, by Mr. Hilligass, relating to a note of hand given by him to Mr. Hancock, which was referred to your board."

[2] No additional information on this case has been discovered. It appears to be unrelated to the memorial Hoskins submitted to Congress on May 12 concerning his accounts as issuing commissary in 1776–79 under the late commissary general Joseph Trumbull, which the board of treasury reported against November 16, 1785. See PCC, item 42, 2:479–85; *JCC*, 28:361n, 29:892, 30:37–38; and these *Letters*, 11:63, 160.

Richard Henry Lee to Thomas Lee Shippen

My dear Nephew, New York June 20. 1785

If you should not have shipped my Chair for this place before you receive this letter I beg you not to remove it from Philadelphia until you hear further from me. My former illness has returned upon me with such increased violence, that unless a change soon takes place I must either quit this City & business for change of air and quiet, or else certainly deposit my remains here.[1] My love to all with you & to yourself sincerely. Richard Henry Lee

RC (DLC: Shippen Family Papers).

[1] Two days later, however, Lee was able to report that "When I wrote you last Monday, I had been under so severe an affliction by the Gouty matter attacking my Bowels for some days, that I was quickly reduced very low—So that if a change had not taken place, the consequences would certainly have been very bad—I am happy however now to inform you that a change has taken place so much for the better as to render it not necessary for you to postpone the sending of my Chair here to me by water. . . . Give my love to yr worthy father & tell him that it was forgetfulness altogether that occasioned me to omit returning by Mr. [*Joseph*] Harrison the Money that he was so kind as to advance to the Servant, but it shall be done by the next opportunity." Shippen Family Papers, DLC. Lee, *Letters* (Ballagh), 2:374–75.

Charles Thomson to John Brown

Sir, Office of Secy. of Congress, 20 June 1785

On the 17 of March last I wrote to inform you that the United States in Congress assembled had been pleased to elect you one of the Commissioners for carrying into execution the purposes mentioned in an Act of the 20 Decr. 1784 and an Ordinance passed the 23 of the same Month, copies of which went enclosed in my letter. On the 21 of March I forwarded a duplicate.[1]

Not having been favoured with an Answer, I am to conclude that by some fatality both my letters have miscarried. I therefore enclose a triplicate of the Act and Ordinance abovementioned & of your appointment & request your answer with all convenient Dispatch, that I may make report to Congress.

I have the honor to be Sr, Yr. most Ob & M

LB (DNA: PCC, item 18A). Endorsed: "Mr John Brown. 5 July declines."

[1] Neither of these letters has been found, but for Brown's appointment as a commissioner to lay out the federal capital and ultimate refusal to accept it, see Thomson to Philemon Dickinson et al., February 14, note 2; and David Howell to Jabez Bowen, June 24, note 5.

Charles Thomson to William Barber

Sir, Office of Secretary of Congress, June 21 [1785]

In my letter of the 9th I informed you that the United States in Congress assembled had been pleased to empower you to examine the Accounts of such Canadian refugees as have furnished the late Armies of these states with any sort of supplies and to report thereon. I now by their order enclose you a report of the comptroller on certain claims of James Morrison together with said Morrison's letter and Accounts and the Auditors report thereon.[1]

I am, Sr, Your most Obedt & most humble Servt.[2]

LB (DNA: PCC, item 18A). Addressed: "Mr William Barber, Comr. for settling the Accots. of the State of NY with the US."

[1] For Morrison's claim and accounts, see Thomson's Memorandum Book, February 4–28, 1785, note 24.

[2] This day Thomson also wrote the following brief letter to Jonathan Burrall, "Comr. for settling accots. of the purchasg commissary's department." "Pursuant to the Order of Congress I enclose a petition of Edward Waters, into the circumstance of which you are to enquire particularly and report specially thereon to Congress." PCC, item 18A, fol. 103.

For Congress' response to Waters' petition, see *JCC*, 28:234n, 321n, 340, 469, 34:92n.

Charles Thomson to the Indian Affairs Commissioners

Gentlemen Office of Secretary of Congress, June 21st. 1785

As Thomas Kilbuck and John Kilbuck, two of the Indian youth entrusted to the care of Congress in 1779 are desirous of returning to their Native Country, the United States in Congress assembled have by an Act, of which the enclosed is a Copy, directed Mr. Morgan to commit them to you or any one of you, and it is the pleasure of Congress that you take the charge of reconducting them to their Country, and causing them to be returned to the tribe of which they are Natives.[1]

You will please to inform the family of G White-eyes that Congress have requested Mr. Morgan to continue his care of him for a year longer.[2]

I am, Gentlemen, Your Most obedient & Most humble Servt.

CT[3]

LB (DNA: PCC, item 18A).

[1] For the enclosed resolve directing the return of John and Thomas Killbuck to their home, see *JCC,* 28:467–68; and the following entry. In 1779 these youths had been placed under the care of George Morgan and enrolled at the College of New Jersey as part of Congress' larger policy of maintaining the neutrality of the Delawares. For the context of this decision and the story of their education at Princeton, see Clinton A. Weslager, *The Delaware Indians. A History* (New Brunswick, N.J.: Rutgers University Press, 1972), pp. 308–13; and Varnum Lansing Collins, "Indian Wards at Princeton," *Princeton University Bulletin* 13 (1902): 101–6.

[2] See *JCC,* 28:468.

[3] On June 23, Thomson also sent the commissioners a copy of a June 18 letter from John Killbuck thanking Congress for his education "& the liberal Supplies of Cloathing & every Necessary during the six Years they have had me under their protection." See PCC, item 78, 13:613–15; and Thomson's Memorandum Book, June 1–30, note 11.

Charles Thomson to George Morgan

Office of Secretary of Congress, June 21. 1785

In answer to your letter of the 20 May respecting the Indian youth under your care I enclose you an Act of Congress passed yesterday, a copy of which I have sent to the Commissioners, for negotiating with the Indians.[1]

I am, Sr, Your humble Servt.

LB (DNA: PCC, item 18A).

[1] Morgan's letter, informing Congress of the desire of John and Thomas Killbuck to return to their tribal home, is not in the PCC, but for the committee report and congressional resolution on it, recommending that the youths be returned to their Delaware tribe, see *JCC,* 28:410–11, 467–68; and the preceding entry.

Charles Thomson to Thomas Johnson et al.

Sir, Office of Secretary of Congress. June 21. 1785

The Honble. John Rutledge, Robert Hanson Harrison and William Grayson having declined their appointment to sit in the federal court for the trial of a controversy between the States of Massachusetts and New York,[1] the Agents for the said states have met and by joint consent have agreed upon the Honble. Samuel Johnson of North-Carolina, the Honble. William Fleming of Virginia and the Honble. John Sitgreaves of North Carolina in the room of those three who have declined.[2] It is further agreed that the court shall meet at the city of Williamsburg in the State of Virginia on the third Tuesday of November next.[3] As soon as the acceptance of the gentlemen last appointed shall be known a commission will be made out in due form constituting a court to hear & determine the controversy aforesaid according to the Articles of Confederation.

With great respect, I have the honor to be, Sir, Your Most Obedt & Most humble Servt.

LB (DNA: PCC, item 18A). Addressed: "The honble Thomas Johnson, George Wythe, George Reed [Read], James Monroe, Isaac Smith, William Patterson [Paterson]."

[1] See Massachusetts and New York Agents to James Monroe, December 28, 1784, note 3.

[2] See Thomson to Fleming, Johnston, and Sitgreaves, June 9.

[3] For this postponement of the court at Williamsburg, originally scheduled to convene "the first Tuesday of June," see *JCC*, 28:440–41.

Charles Thomson to Robert Morris

Sir, Office of Secretary of Congress, June 21. 1785

Inclosed you have the Act passed yesterday by the United States in Congress assembled.[1] I have only to add that they have this day resolved that the administration of the Commissioners of the treasury and the Accounts thereof be examined and adjusted annually in the manner directed for the investigation and adjustment of the accounts of the treasury under the administration of the late Superintendant of finance.[2]

I am with sincere Esteem, Your obedt humble Servt.[3]

LB (DNA: PCC, item 18A).

[1] For this "Act" authorizing the appointment of commissioners "to enquire into the receipts and expenditures of public Monies, during the Administration of the late Superintendant of finance," see *JCC*, 28:468.

[2] For the effort this day to amend the preceding day's resolve for enquiring into Morris' administration as superintendent of finance, which resulted in the compromise to hold similar enquiries into the administration of the treasury annually, see *JCC*, 28:470–71.

[3] Thomson also wrote the following letter this date to Dr. John Morgan enclosing a resolution authorizing the settlement of his claim without supporting documentation which had been destroyed. "In answer to your petition stating a balance to be due to you & praying payment, Congress have been pleased to pass a resolution, a copy of which I have the honor to enclose." PCC, item 18A, fol. 102.

For Morgan's February 14, 1785, petition and the resolution adopted in response to it, see PCC, item 41, 6:385–86; and *JCC*, 28:109n, 224–25, 468–69.

David Jackson to George Bryan

Dear Sir New-York June 22d 1785

I promised in my last to give you some information respecting the new mode of punishing certain criminals in the City of New-York. I have not been able to possess myself fully on the subject, but from the inquiry I have made find that confining to Bridewell (which is a kind of large work house) & obliging the criminals to perform such labor as should be appointed them by the directors of the house, originated some time ago with the mayor & corporation, as they found the city over-run with vagrants after the brittish army evacuated the palce [place], without any express law of the State to authorize such punishment. After sometime this mode of confinement was complained of as rather a matter of arbitrary proceeding in the corporation, & they were threatned with the habeas corpus in favor of some of the criminals. Those threats intimidated the city police & for sometime they slackened in their new adopted mode, but the utility of the mode had been found so great; that at the last meeting of the legislature, a law was enacted authorizing the mayor & corporation to punish by imprisonment & hard labor limiting the time of duress to a term not longer than six months. I send you enclosed an Extract of the law for this purpose—the effects of this mode of punishment are found exceedingly beneficial—crimes within the cognizance of this law are become much less frequent, & the vagrants, intimidated with the mode, banish themselves from the place. There is a large lot of ground adjacent to the Bridewell belonging to the corporation which they intend to improve & beautify with walks for the benefit of the city—here I have seen the criminals at labor, under the direction of an overseer, each chained to a wheel-barrow, the chain not very ponderous. They are very active in fitting their machines & transporting the materials from place to place as found necessary. This very appearance in my opinion has a much greater influence in the eyes of the vulgar to prevent the commission of crimes than either hanging or whiping. It is true the neighbouring States who have not adopted any punishments of this nature will find themselves much incommoded by the banishment of the *rascality* of this State in consequence of their present mode; but they have their remedy by adopting something similar.

The constitutions of several of the fœderal States recomme[n]d the making punishments for crimes less sanguinary; Pensylvania particularly. It would be much better for civil society probably, if this was more attended to by the legislatures, but it is difficult to depart from long established usages.

Congress passed a resolution yesterday which may probably give offense in Philada, yet as far as I could judge none was by any means intended. The resolution is that three Commissioners be appointed to examine the receipts & expenditures of the late superintendant of finnance & to report thereon to Congress—also that, three commissioners be appointed annualy to examine the receipts & expenditures of the Board of Treasury & report thereon.[1]

The late superintendant of finnance has published a folio volume of the accts & expenditures of the United States during his administration—probably you have seen this work as it was done in Philada.[2] I never had seen it before yesterday & find that to form an opinion on its merits will require a perusal with much care & attention. I suppose the example of Mr. Neckar late superintendant of France had some influence with Mr Morris on this occasion.

With much esteem I am Dr Sir, Your Obedt Servt,

David Jackson

ENCLOSURE

"And be it enacted by the authority aforesaid, that it & may be lawful to & for the Mayor, Recorder & Alderman of the said city for the time being, in all cases where by law they or any of them are authorised to inflict corporal punishment for any crime or misdemeanor, to substitute, at their discretion, instead of such corporal punishment, a confinement of the offender in the house of employment, or Bridewell, belonging to the said City, to be kept at hard labor therein, or at any work or employment within any part of the jurisdiction of the said city & county, for a longer or shorter period, according to the nature of the offence; and also to confine & set to hard labour in manner aforesaid, all idle & disorderly vagrants not having visible means of a livelihood, and all common prostitutes who now are or from time to time shall come into or sojourn within the said jurisdiction.

"Provided always, that no person shall be confined in manner aforesaid, by virtue of this act, for any term longer than six months."[3]

RC (PHi: Bryan Papers).

[1] Actually, the resolution for appointing commissioners to examine the accounts of Robert Morris while superintendent of finance was adopted on June 20. A maneuver "to reconsider" the resolution was defeated on the 21st, after which a resolution calling for an annual examination of the accounts of the board of treasury was adopted to moderate the offense taken by Morris' supporters. See *JCC*, 28:468, 470–71; and the preceding entry.

[2] See *A Statement of the Accounts of the United States of America, during the Administration of the Superintendamt of Finance. . .*, (Philadelphia: Robert Aitken, 1785). Evans, *Am. Bibliography*, no. 19,333.

[3] For this March 18, 1785, act, see *Laws of the State of New-York*, 2d meeting of the 8th session, chapter XL, pp. 31–32. DLC(ESR). For the context of this innovation in incarceration, see Adam J. Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America* (New Haven: Yale University Press, 1992), p. 25.

Samuel Holten to Nathan Holt

My dear Sir,[1] New York 23d. June, 1785.

I have found by experience that there is real pleasure & satisfaction in writing to an absent friend, altho' I have nothing material to communicate; & in this light & under such circumstances you will permit me to address you.

The time is arrived, when I expected that Congress would have had a recess; but there is so many important matters before them unfinished, that I believe their recession will be short, if they have any this year, & having but one colleague with me at this time I am obliged to give my constant attendance.

The greatest embarrassment Congress meet with at this time is the support of public credit, for some of the states have not granted the impost, or otherwise complied with the requisitions of Congress for money which puts us in a very disagreeable situation & therefore, one necessary qualification for a member of Congress, at this time, is that he can bear duning, very well, & not for his own debts, but for the public.

The merchants, in many of our seaports, are very uneasy that Congress have not greater powers respecting the regulation of trade, & it is more than a year since Congress were sensible that further powers were necessary & recommended it to the several states, but some of them have not yet complied; however, I have reason to think that the merchants at this time may be willing to give Congress more extensive powers, than I should think it adviseable for the good people to give up.

All sovereign powers will regulate their own trade, as they think most for their interest; but some times they make mistakes, & this may be the case with G.B. at this time, & when she is convinced of it no doubt she will alter, & it is not worthwhile for us to worry ourselves too much about the matter but take care of our own.

Congress are much united in our public counsels, which adds great strength to our new government, & this can't but be agreeable to a mind like yours.

Since I have been in this city, I have usually attended public worship at Dr. Rodgers's meeting, & am happy in having formed some acquaintance with him, for he appears to be a worthy man;[2] the Dr

lately gave me one of his sermons, deliverd. on a public occasion, which I will do myself the pleasure of inclosing to you.

Please to make my most respectful compliments to your Lady.

I remain, with perfect respect, your sincere friend & humble servant

FC (MHi: Holten Papers). In the hand of Samuel Holten. Addressed: "Rev'd Mr Holt."

[1] The Rev. Nathan Holt (1725–92), a 1757 graduate of Harvard College had been pastor of the Congregational Church of the 2d Parish of Danvers, Mass., Holten's hometown, since 1758. Shipton, *Harvard Graduates*, 14:175–76.

[2] That is, Dr. John Rodgers, who was appointed chaplain to Congress, on Holten's nomination, on August 5, 1785. *JCC*, 29:613.

Charles Thomson to William Livingston

Sir Office of Secretary of Congress, June 23d 1785.

I am extremely happy in having the honor to inform you that the United States in Congress Assembled have this day elected you their Minister Plenipotentiary to the Court of the United Netherlands.[1]

That you may be more fully acquainted with the extent and emoluments of this Office I enclose two Acts of Congress, one limiting its duration, and the other fixing the Salary.[2]

With great respect, I have the honor to be, Your Excellency's Most obedient & Most hum Servt. Cha Thomson

RC (MHi: Livingston Papers).

[1] See *JCC*, 28:474. For Governor Livingston's nomination to this position by Charles Stewart and Livingston's decision to decline the appointment, see Stewart to Livingston, March 25, note; and Livingston, *Papers* (Prince), 5:197–98.

[2] For these enclosed "Acts" of May 7, 1784, and February 18, 1785, see *JCC*, 26:354, 28:84.

John Habersham to Joseph Clay

Dear Sir,[1] New-York, 24th June, 1785.

I embrace the present favorable opportunity to offer you my best thanks for the letters you were so obliging as to write in my favor, which have procured me very friendly tenders of service at Philadelphia and this place.

From our being so long unrepresented, and the indifference shewn to Fœderal requisitions, I was led to suppose we should frequently be reminded of the delinquency of Georgia; but whether it is because the States have all been in some degree culpable, or that our distresses and consequent inability are considered, the subject has seldom been touched upon. A Commissioner was appointed before our arrival for

the purpose of setling the demands of our State against the United States, and will go from hence about the first of November next.[2] Was he to go sooner it would answer no good purpose, Mr. Wereat being at Augusta and as I understood him not quite prepared for an adjustment of the business.

You will observe by some of the inclosed Newspapers that Town Meetings have been held in different parts of these Northern States to consider the present distressful situation of American Commerce; the result has been that they have agreed to recommend to their respective Legislatures the investing Congress with *full power to regulate Trade.* This is a nice subject to come before Congress, and ample, indefinite, powers will hardly go down. Nevertheless something that would enable Congress to counteract the oppressive Systems of foreign Nations, is undoubtedly necessary, as without it they will never be brought to act on equal terms with us.

Mrs. Habersham and our little Daughter (who has got over the small pox) are well. The former desires her love to Mrs. Clay and the family, with which you will please to join that of, Dear Sir, Your Obedt. Servt. & sincere friend, John Habersham.

RC (PHi: Dreer Collection).

[1] Clay has been identified in these *Letters,* 7:519n.

[2] Job Sumner had been appointed commissioner for settling Continental accounts in Georgia by the Board of Treasury in early May before Habersham and Abraham Baldwin arrived on the 30th to join William Houstoun as Georgia delegates. Sumner went to Georgia in the fall after receiving an advance on his salary enabling him to undertake the trip, but returned to New York without permission in September 1786 because of illness, having done little to settle the states' accounts. See *JCC,* 28:400–401, 447; PCC, item 78, 21:470–74, item 138, 2:425–30, item 141, 2:79; and Kenneth Coleman, *The American Revolution in Georgia, 1763–1789* (Athens: University of Georgia Press, 1958), pp. 256–57.

William Hindman to William Paca

My dear sir New-York June 24th. 1785

The inclosed Papers contain all the Intelligence I can give You, as You will there see that Congress have at Length elected a Minister for the United Netherlands.[1]

The Requisition remains in the same State it was some Months past.

Mr. Gardoqui the Spanish Plenipotentiary has not yet reach'd this City, but daily expected. I see little Prospect of Congress adjourning in the Course of this Year, being up to their Eyes in Business, & Mr. Gardoqui's Arrival will I expect add considerably thereto.

I have heretofore counted with the greatest Certainty upon Mr. Gustavus Scott's joining Us early in the next Month, but from a Letter I recd. from him the other Day I almost give him up, as He says He is in

very bad Health, owing to an unfortunate Mistake of a blind Doctr. giving him Salt-Petre instead of Salts, & unless the warm Weather gives him Relief He will be under the Necessity of going to the Virginia Springs for his Recovery. He mentions his having seen Mr. Chase a few Days before the Date of his Letter, who told him He would be up this Summer, but of this I despair as Colo. Hindman who saw him later says He inform'd him He could not come up this Year.[2] Our Friend Mr. Henry will leave this about the third of next Month, full charged & in high Condition for the Reception & Gratification of the accomplished fair One which You promised to provide for him, & who He says He shall demand at your Hands, insisting for a Compliance of your Engagement. He desires his Love to You. On his Departure our State will be reduced to a bare Representation & my Colleague Mr. McHenry says He is afraid his Affairs will render it essential for him to be in Baltimore for a Month, should that happen We shall then be unrepresented, which ought to be avoided.[3]

Yrs sincerely & affectionately, Wm. Hindman

RC (MdAA: Red Books).

[1] That is, William Livingston of New Jersey, who declined the appointment. See Charles Thomson to Livingston, June 23.

[2] Gustavus Scott and Samuel Chase had been chosen as delegates by the Maryland assembly in December 1784 but did not attend.

[3] For the attendance of John Henry and James McHenry at this time, see McHenry to Daniel of St. Thomas Jenifer, July 4, note 1.

David Howell to Jabez Bowen

Dear Sir, New York 24 June 1785.

Your favour of 5 Inst. came duly to hand. You are pleased to promise to comply with my wish expressed in my last Letter that a good man might be nominated in the stead of Judge Harris in case he should decline to accept the appointment.[1] I hope however that he will accept & go forward: as I know of no better man, & the business demands dispatch.

For what reason your Letter to the Presidt[2] has not been answered I cannot say; but hope you will do our worthy Presidt the justice to believe it is no prejudice against our little State, which is toasted very frequently at his Table.

I have called on the Secretary for the motion formerly made by us on Mr. Greens business; and we shall particularly charge ourselves with an attention to it.[3]

The requisition still hangs by the eyelids. Various obstructions are thrown in its way. Some are for separating the provision for the Foreign debt & civil list from the domestic debt. This we oppose *tooth &*



William Hindman

nail. The enclosed printed motion made by the delegates of Virginia contains other obstructions.[4]

I thank you for your careful attention to my applications for money. And must beg you to continue to the end which I hope is at hand. I must soon have another supply as expence accumulates on my hands. I pray you to obtain some effectual provision for payment of my drafts at the next Assembly.

Please to deliver the enclosed Letter to Mr. Jno. Brown & to urge him to accept the place of commissioner for erecting the Fœderal buildings. There is no doubt but Genl. Dickinson will concur with him in fixing them on this side of the Delawar. This I am assured of by the delegates from New-Jersey. Nothing will be done soon in the business. Perhaps not this season. He may afterwards find reasons enough to decline if his business will not permit him to continue to compleat the buildings. I have not delivered his Letter to Mr. Thompson. I believe it is lost. I therefore pray him to enclose another to me directed to Mr. Thomson accepting the appointment. His next Letter shall be faithfully delivered whatever its contents may be.[5]

I have delayed Col. Pecks business for the arrival of Mr. Pierce. He will be in this City in a few days. I pray Col. Peck to enclose to me copy of his commissions. I should write him but have not time by this opportunity. Of this you will please to inform him.

How do you like our land-ordinance? You have to look to that & to the exertions of the State chiefly for payment on your Securities. To tell you the plain truth there is an alarming backwardness in some States to make provision for the payment of domestic debts—or to put the payment thereof on the same footing as the foreign debt & the civil list.

In great haste & with great truth & sincerity I have the honor to be, Dear Sir, your most obedt & very hbl servt, David Howell

RC (R–Ar: Letters to Governors).

[1] Caleb Harris, justice of the Court of Common Pleas for Providence County, had been appointed Continental surveyor for Rhode Island on May 27, a position he finally accepted March 8, 1786, only to resign ten weeks later because of ill health. See *JCC*, 28:398, 30:130n, 294; and Staples, *Rhode Island*, p. 531.

[2] The last letter from Bowen to Pres. Richard Henry Lee in the PCC, which concerns the fraudulent use of final settlement certificates in Rhode Island, is that of March 29. It was read April 6 but apparently not acted on. See item 64, fols. 548–60.

[3] Apparently the Rhode Island delegates' June 3, 1783, motion for obtaining a settlement of the accounts of Thomas Greene, which had not been acted upon but was soon hereafter revived and adopted July 11. See *JCC*, 24:380, 29:520–21.

[4] For James Monroe's June 22 motion for crediting states with the claims of individuals within their state and reimbursing Virginia for "all her reasonable expenses" associated with the conquest and administration of her territory northwest of the Ohio River, see *JCC*, 29:473–74.

[5] For the appointment of commissioners to lay out the site for a federal capital, and Howell's efforts to obtain John Brown's acceptance of one of these appointments, see

Charles Thomson to Philemon Dickinson et al., February 14, note 2, and to John Brown, June 20.

William Houstoun to Samuel Elbert

Sir, New York 26th. June 1785.

Your letter of the 5th May[1] I have had the honor to receive And no oppy. having offered since that time and for some time before for Savannah, makes it now necessary to send a number of despatches together. As they are all large, together with the Journals, and newspapers I have delivered Mr. Gibbons[2] the bearer of this letter for you—they will give you every publick Information, the Delegates therefore at present have no occasion for making any observations in their Official Capacity—but have requested as I should answer your private Letter to assure your Honor of their being sensible—that every means in your power will be used to keep them supplied. As the necessity of the Delegation of the State being kept Up is apparent from the advantages already attained in Congress—they have been disappd. in not receiving the one hundred & fifty Pounds from Owens & Thomson.

The Delegation will write by Doctor Vicars who goes in a few days[3]—As Mr. Gibbons is now just going off in haste and can give you any Acct. of Matters here. I hope I shall experience in future the advantages of a Salary more forcibly than I have hitherto done.

I have the honor to be Dear sir Yr. very obt servt,

Wm Houstoun

[*P.S.*] I wish it was in the power of the State to pay me My Arrears of Salary.

RC (PHi: Gratz Collection).

[1] For which see "The Letter Book of Governor Samuel Elbert, From January, 1785, to November, 1785," *Collections of the Georgia Historical Society*, v. 5, pt. 2 (1902), pp. 201–2.

[2] That is, Georgia delegate William Gibbons, who had arrived in Philadelphia with Houstoun the preceding July only to find Congress adjourned, for which see Georgia Delegates to John Houstoun, June 24, 1784. Houstoun thereupon joined the Committee of the States in Annapolis while Gibbons travelled to New York on personal business where he remained for the next year except for his brief attendance in Congress in November and December at Trenton. He had advised Georgia's governor in a letter of October 28, 1784, "that I shall think my Self disengaged after the first of Decr." Gratz Collection, PHi. Shortly after Congress reconvened in New York in January Gibbons received a committee assignment, but he apparently declined to attend leaving Georgia represented only by Houstoun until he was joined on May 30 by Abraham Baldwin and John Habersham. Although Gibbons was reelected on January 19, 1785, he never again attended Congress. See *JCC*, 28:8n, 400–402; and PCC, item 49, fol. 287.

[3] Possibly Dr. Samuel Vickers, who had served as a physician in the hospital for the southern department during the war. *JCC*, 21:981; and item 143, fol. 83.

William Samuel Johnson to Samuel William Johnson

New York. June 26th. 1785 Sundy Eveng. "My dear Son. I have the pleasure to receive yr. favor of the 24th Instt. Your dear good Mamma left me this Morning about six O'Clock, & as the Wind has continued favourable is, I hope, before this safely arriv'd at Stratford & had a happy Meeting with you & the rest of the Family. I forget whether I mention'd to you that I propose certainly to make you a Visit in a Month or six weeks, tho' Congress sho'd continue to sit thro the Summer, as it is probable they must."[1] Concludes with review of some commercial and real estate ventures they have in prospect.

RC (CtHi: Johnson Papers).

[1] Johnson had also touched upon this subject in another letter to Samuel written earlier in the month but dated only "June 1785." "I wish much to see you, but cannot yet promise myself that it can be very soon. I see little prospect of the recess of Congress, but at any rate hope I may make a short excursion at least the latter End of July or begining of Augt." Johnson Papers, CtHi.

William Grayson to James Madison

Sir. New York June 27th. 1785.

I have recieved your favor of the 29 May[1] acknowledging the receipt of my first letter, though making no mention of the last,[2] which I presume has not yet come to hand. Since the date thereof the affair of the treaty with the Western Indians which was decided on the 18th March last, has been opened again & very much canvassed; the result however is that the treaty is to be held; & for the double purpose of procuring peace and for extinguishing the rights of the Indians to the territory lying between the Great Miami & the Missisippi.[3]

Accounts from Colo. Harmer Commandr. at fort McCintosh, mention that the emigration to the Country already purchased from the Indians is very considerable; that at the mouth of the Scioto there are about 500 Settlers, & at the mouth of the Miami & other parts about 1500. That he has agreable to orders dispossess'd all those who were convenient to him; Congress have directed him to move his garrison to such a point as shall be most convenient for removing all the intruders. Should his force be inadequate to the business, it is expected the troops which go down with the Commer. will be sufficient to make a general sweep.[4]

The requisition for the current year is still before Congress, and there are considerable disagreemen[t]s respecting it; it is very certain

public credit ought to be supported by every nation who wishes to exist; but it is also as certain that requisitions will not support credit unless there are payments consequential thereon.

The requisition for 1784 has been illy complied with; Some of the States have not done anything & the remittances of most of them to the Continental treasury (except Virginia) has been inconsiderable.

It is therefore no mystery why those who pay least should be most anxious for new requisitions. The delegation of our State are desirous of a requisition on terms not ruinous, and despairing for the present to accomplish an exaction of past delinquencies wish only to have it so modified as that the Interest on such portions of the £750,000 (as are Continental) which our Assembly has liquidated shall be considered among the facilities as fast as they are audited & past by the Continental Commes. They also wish the expenditures of Cash or certain parts thereof annually may be admitted in the hard money portion of Virginia as paymt. pro tento.

Congress after several unsuccessful efforts have at length elected Governor Livingston for the Hague.[5]

Mr. Gardoqui, chargè des affaires Plenipotentiary from the Court of Spain is at length arrived at this place; but I believe very few have seen him. I understand he has been bred to the business of a Mercht. & is an agreable man; he has resided some short time in Philada. & the people from thence represent him in a favorable light.

The Commrs. appointed to make commercial treaties, have made no great progress therein; which is rather agreable to Congress than otherwise, as they begin to dislike the idea of granting the right of the most favored nation to powers whose commerce is of so little importance as not to promise any essential advantage to the U. S. The Pope without a treaty has opened Civita Vecchia, & Ancona for the commerce of America; In the same manner Leghorn & Messina are made free for us by the respective sovereigns.[6] The treaties with the Barbary States are in train, & I hope will be completed in the course of the summer, though the expence will be considerable. The birth of the Duke of Normandy has been announced in due form. There is no certain intelligence respecting the Emperor & the Dutch. I remain with great sincerity Yr. Affect. frd. & Most Obed sert.

Willm. Grayson

RC (DLC: Madison Papers).

[1] Not found.

[2] That is, Grayson's letters of May 1 and 28.

[3] See James Monroe to Madison, May 5?, note 10.

[4] On May 1 Lt. Col. Josiah Harmar had reported to Congress that pursuant to his January 24 instructions from the Indian commissioners (George Rogers Clark, Richard Butler and Arthur Lee) to "employ such force as he may judge Necessary in driving off persons attempting to settle on the Lands of the United States" west of the Ohio River, he had ordered Ensign John Armstrong on March 29 to take a party of twenty and dis-

possess the squatters seventy miles south to Wheeling and to relay the Indian commissioner's instructions downriver. Armstrong reported his mission a success in mid-April but returned with several petitions and a March 12 "Advertisement" calling for April 10 elections to take place at the mouths of the Miami, Scioto, and Muskingum rivers for representatives to a convention to be held April 20 at the mouth of the Scioto to draw up a constitution for self government. The advertisement further affirmed the squatters' constitutional right to uninhabited lands and denied Congress' right under the Articles to sell such lands for debt reduction. Harmar's letter and its enclosures were referred on June 1 to a committee consisting of David Howell, Grayson, James McHenry, Charles Pettit, and Rufus King. Before Congress considered their June 20 report, however, the committee was assigned Harmar's June 1 letter warning Congress that his effective range from Fort McIntosh was only 120 to 150 miles and that the interlopers along the Scioto alone were more than 370 miles distant. In short, "the number lower down the river is immense and unless Congress enter into immediate measures it will be impossible to prevent the land being settled." Grayson prepared the report adopted by Congress on June 21 and 24 approving Harmar's previous actions and advancing him $600 to move his garrison to a point on the Ohio between the Miami and the Muskingum best suited "for removing intruders from the lands of the U.S." See *JCC*, 28:415n, 472, 478–79; and PCC, item 19, 3:63–65, item 163, fols. 410–40, 465–70, item 190, fols. 43, 49. See also Charles Thomson to Peter Miller, May 9, note 2.

Grayson's reference to "the troops which go down with the Commer." apparently referred to the anticipated detail of 25 men to accompany the commissioner to be assigned to the settlements in the Kaskaskia district in the Illinois country, for which see *JCC*, 28:157; and James Monroe to Thomas Jefferson, April 12, note 11.

[5] See Charles Thomson to William Livingston, June 23.

[6] The American commissioners in Paris had learned of papal intentions to open to American trade Civitavecchia (or Vecchiano) on the Mediterranean Sea and Ancona on the Adriatic Sea in a letter of December 15, 1784, from the papal nuncio, the Archbishop of Seleucia, for which see PCC, item 86, fols. 85–88; and Jefferson, *Papers* (Boyd), 7:755–56. On January 22, 1785, the chevalier de Pio informed the commissioners that the King of the Sicilies had opened Messina to American shipping; and on April 26 Francesco Favi announced that the Grand Duke of Tuscany had opened Livorno or Leghorn on the Ligurian Sea. See PCC, item 86, fols. 89–92, 161, 215–16; and *Diplomatic Correspondence, 1783–1789*, 1:549–50. The letter from the papal nuncio had been enclosed in the commissioner's March 18 letter to John Jay which had been read in Congress June 16. See *JCC*, 28:463n; PCC, item 116, fols. 257–60, item 185, 3:129; and *Diplomatic Correspondence, 1783–1789*, 1:562–64.

Rufus King to Henry Knox

My dear Sir, New York 27th June 1785

I am uninformed of the merits of your eastern claim,[1] but presume they are such as sufficiently warrant the report of the committee on your application, and therefore am concerned at the decision of the House. This must console you, that you may bring the business again before the Legislature, and with confidence that if the measure is right, you will finally succeed. We go on here much in the Stile pursued when you was with us. I wish your return, but have heard nothing more than affectionate wishes on the same subject from any quarter. I think you may free yourself from any apprehensions that your absence

will be misconstrued by Congress—you may be assured *that* assembly contains a number of worthy men, who are your very sincere friends.

I write to Colo. Tupper by this post,[2] on the idea suggested in your first Letter, and also in a Letter from Mr. Putnam. I can see no difficulty in Col. Tupper's discharging the Duty of Surveyor for a given period, after which Putnam may come on.

I pray you to present my best respects to your Mrs. Knox, and to esteem me your very obedient servant, Rufus King

[*P.S.*] I have directed a Letter to Tupper at Boston—pray if he is not there, take up the Letter and forward it. RK

RC (MHi: Knox Papers).

[1] Knox's claim to tens of thousands of acres of Maine lands within the vast "Waldo Patent" originated in the inheritance of his wife, Lucy Flucker, grandaughter of Gen. Samuel Waldo and daughter of the last royal secretary of Massachusetts. His successful pursuit of it ultimately enabled him to build an imposing mansion ("Montpelier") near Thomaston, and adopt the lavish life style that characterized his later years. North Callahan, *Henry Knox, General Washington's General* (New York: Rinehart & Co., 1958), pp. 266, 338–41.

[2] Not found. Rufus Putnam had been appointed a Continental surveyor under the land ordinance of May 20, but had found that his affairs in Massachusetts would prevent him from attending his new duties for some time. Congress accordingly appointed Benjamin Tupper to this post on July 18, "with authority to perform the duties of that office, until Mr. Putnam shall actually join the geographer, and take the same upon himself." See *JCC*, 25:398, 29:542; and Charles Thomson to Thomas Hutchins, August 15, 1785.

New Hampshire Delegates to the President of New Hampshire

Sir,[1] New York June 27th. 1785.

We have the Honr. to acquaint yr. Excelly that a young Gentleman, whose name is Dowse, a native of Charlestown Massachusetts is now in this City. He has lately been in the western country, and is recommended for his integrity & ability by gentlemen on whose Judgment we fully rely. He is desirous as serving as the surveyor for New Hampshire, and should he be appointed will proceed immediately on the business of his office. If no measures have been taken by the General Court to supply the place of Mr. Adams we wish to know your Excellys opinion as to nomination of this Gentleman.[2] We have the Honr. to be, Your Excellencys Most Obt. Servts. Abiel Foster

Pierse Long

RC (Nh–Ar: State Papers, Revolutionary Correspondence). Written by Long and signed by Long and Foster.

[1] Although John Langdon had been elected president of New Hampshire on June 8, Long probably assumed he was still addressing Meshech Weare, who had served continuously since his election as president of the New Hampshire Council in 1776. The delegates' letter of July 24 is explicitly addressed "Excelly. Jno. Langdon Esqr."

[2] For Edward Dowse's nomination and appointment as Continental surveyor for New Hampshire in the place of Nathaniel Adams, see Charles Thomson to the Continental Surveyors, May 28, note 2; and New Hampshire Delegates to John Langdon, July 24.

Virginia Delegates to Patrick Henry

Sir, New York June 27, 1785.

We do ourselves the honor to transmit to your Excellency the copy of an ordinance for surveying and disposing of the lands northwestward of the Ohio, with the acts of Congress regulating the government of the new States previous to, and the conditions upon which they shall be admitted, into the confideracy.[1] The resolution of the 18th of March last directing a treaty to be held at post St Vincents for making peace and obtaining an additional cession from the Indians, being found insufficient in the means necessary to carry it into effect, upon resuming the consideration of it, it was found expedient to appropriate additional sums of money for the purpose and to extend the powers of the Commiss'rs as well in the objects of the treaty as to the other important duties which have devolv'd on the Union respecting that territory. The acts of Congress upon these subjects we herewith transmit to your Excellency.[2]

It is with concern we find the motives which induc'd us to request from Congress an additional Commiss'r to settle the accounts of the State against the U.S. hath not been sufficiently understood, arising we suppose from our not having sufficiently explain'd them to you.[3] The duty of these commiss'rs by the resolutions of the 20th of Feby. 1782 is to settle the claims of States, and individuals within each, against the U.S. up to the 31 of Decr. 1782 upon principles which had been previously agreed to. Under these resolutions he is only to give publick notice of the time and place at which he will proceed in discharge of these duties, but by those of the 3d of June 1784, he is instructed to remain stationary or move from county to county as the Legislature or executive of each State may advise. He is also at liberty to appoint what number of clerks he may find necessary to assist him. All the duties and rights which belong'd to one are extended to both. In several states they move, we have been inform'd, from place to place for the convenience of the people; how far this may be necessary in ours we submit to your Excellency and the Council to determine. Dispatch in the settlement of these accounts was our only object; we presum'd the Executive might direct one to settle with the State, and the other with individuals, or if the former are already set-

tled, that particular counties might be assign'd to each for the settlement of the accts. of individuals within them. Certificates given by Quarter Masters or Commissaries or other officers who had a right to give them for supplies or services render'd to the U. States, will of course be taken up by the Commiss'r as his vouchers, so that no danger can arise from the number of Commiss'rs employ'd in the business. In addition to this he may take the oath of the party that he lives in the county or district assign'd to him or require such other evidence of it as may be satisfactory. Every delay your Excellency will readily perceive must be injurious to our State, we are not only depriv'd of the advantage of certificates of discount upon the interest of these debts admitted in the requisition, but our citizens of the payment of the interest due them, one of the principal objects of it, while the money drawn from ours is applied to the discharge of such debts in other States. While the Commiss'r hath an annual salary depending upon the time he may procrastinate it to, it may be expected he will be averse to measures which may hurry the conclusion, but as they are respectively subject to the observance of the several Executives it is to be hop'd their views in this instance, if such exist, will be defeated.

We have the honor to be with great respect and esteem yr Excellency most obt. and very humble servants,

S Hardy Richard Henry Lee

Jas. Monroe Willm. Grayson

RC (Vi: Executive Papers). Written by Monroe and signed by Monroe, Grayson, Hardy, and Lee.

[1] For these acts of April 23, 1784, and May 20, 1785, see *JCC*, 26:274–79, 28:375–81.

[2] Apparently the resolves adopted May 31, June 6, and June 15, for which see *JCC*, 28:404–5, 430–31, 459–62. For the context of the debates on these "acts," see Monroe to James Madison, May 5?, note 10.

[3] See Pennsylvania Delegates to John Dickinson, January 27, note 2.

Hugh Williamson to Richard Caswell

Sir, Edenton 27th June 1785

Yours of 23rd inst. came to Hand. When I wrote on the 18th[1] I was in haste as the Express was just setting out and there was indeed the appearance though it was only an appearance of some *Neglect* on my side in making the proper Communications. My Trunk containing my Cloaths, the Journals of Congress and all my public Papers had been ship'd at New York for this Place on the 26th of May & the Vessel did not arrive in this Bay till on this Morning. My Baggage is not yet landed. I have there a Copy of some of the Papers not all of them For as Mr Spaight continued in Congress after my Time was out and the

chief Debates respecting the Western Country took Place after the 14th of May it was Mr Spaights Duty not mine to communicate the same to the Executive. I mentioned the subject to him and understood from him that he had ordered a Copy of the whole to be made out. I presume he brings it with him or has sent it by Post.[2] I thought that interfering after my service was legally ended might seem to imply a want of Confidence in his diligence. In fact there has no act pass'd in Congress but a single Recommendation to the State to renew the Cession; but there was much Debate, & many Yeas & Nays were call'd; the Questions lost.[3]

On the last day of my sitting in Congress[4] which was two days before the arrival of Cock in New York it was moved by a Member from Massachusets & seconded I believe by one from N Jersey that Congress should accept the Cession of Western Territory made by N Carolina. Whatever my sentiments might have been respecting the Policy of the Cession or the Repeal you may presume that when the Honor or even the competence of the State to make good & proper Laws was squinted at I was not silent. The Motion was after considerable Debate withdrawn. That was on Friday. On the Monday or Tuesday following the very same Motion was made & was, as you will see by the Journal, very nearly carryed. Cock was then in Town, but I think his Presence produced no Effect pro nor con. I question whether Mr Spaights Health permitted him to attend during the whole of this debate. I am fully informed that the Question was lost by the negative of some Gentlemen who wished very much for the Cession but who were very unwilling to give offence to a state that is admitted on all Occasions to be observant of federal Measures.

I have the Honor to be, with the utmost Regard, Sir, Your obedt servt, Hu Williamson

RC (PHi: Dreer Members of Congress Collection).

[1] In this brief letter Williamson had informed the governor of his arrival in North Carolina and asked for the balance of his compensation for his service in Congress "from 1st Nov. to the 14th May." *N.C. State Records,* 17:473.

[2] See Richard Dobbs Spaight to Caswell, June 5, 1785, note 4.

[3] Ibid., note 2.

[4] That is, Friday, May 13. *JCC,* 28:351.

David Ramsay to the Marquis de Barbé-Marbois

Sir, New-York June 28th 1785

I now send you the remaining part of my manuscript, & the printed part which you have not seen. You will see how I have profited by your remarks in one instance of the printed part relative to the Treaties with France. I have incorporated nine in ten of your remarks in their

proper places & I hold myself much obliged to you for them.[1] I beg the favor of you to continue them & to suggest any thing that occurs which ought to be altered, added or suppressed. Your suggestions hitherto have given me pleasure & I am sure they will add to the nature of the work. I have the honor to be your very humble Servt

David Ramsay

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 30).

[1] Marbois informed the comte de Vergennes on July 15 that he had proposed nearly one hundred alterations in the manuscript, most of which Ramsay had accepted, for which see ibid., 30:138–41; and Ramsay to Marbois, June 7, 1785, note 1.

Charles Thomson to the Commissioners of the Treasury

Gentlemen, Office of Secretary of Congress, June 28. 1785

I have it in charge to inform you that it is the pleasure of Congress that the frigate Alliance be sold for specie or public securities of the United States and that it be left at the option of the purchaser to pay in either;[1] I need not mention the necessity of altering the tenor of your advertisement to make it correspond with the sense of Congress.

I have therefore only to assure you that I am, with the greatest respect, Gentlemen, Your most obedt & most humble serv. CT.

LB (DNA: PCC, item 18A).

[1] For Congress' June 3 decision to sell the *Alliance,* and the modification made this day in the terms to be offered the purchaser, see *JCC,* 28:228, 390, 422, 484. For the original recommendation of the former superintendent of finance Robert Morris to sell the *Alliance,* and Congress' resistance of nearly two years to Morris' recommendation, see Morris to the President of Congress, September 1, 1783, Morris, *Papers* (Ferguson), volume 8 (forthcoming).

Charles Thomson to William Malcom, John Dyer Mercier, and Isaac Roosevelt

Gentlemen, Office of Secry of Congress, June 28. 1785

The contractors for supplying the garrison of West point and its dependencies having by a memorial stated a failure on the part of the late Superintendant of finance and that they have been aggrieved by that failure, the United States in Congress assembled have been pleased to pass the enclosed resolution empowering you to enquire into the particulars and to determine what damages, if any have been

sustained, from that failure or from the Superintendant's withdrawing the Contract and make report to Congress.[1]

I am, Gentlemen, Your most obedt & Most humble Servt,

CT

LB (DNA: PCC, item 18A). Addressed: "J.D. Mercier, W. Malcom, & Isaac Roosevelt Esqrs."

[1] For the enclosed resolution, see *JCC*, 28:481–83. The "contractors for supplying the garrison of West point," Comfort and Joshua Sands, had submitted a memorial to Congress on June 13 similar to one submitted by Sands & Co. (in conjunction with other partners) in February concerning "the supply of the moving Army for 1782" which had also been referred to Malcom, Mercier, and Roosevelt. For the disposition of both memorials, and the protracted efforts made to ascertain the damages due the petitioners for the nonpayment of their rations contracts, see Thomson to Malcom, Mercier, and Roosevelt, May 31, note 1.

A copy of the enclosed resolution was also sent by Thomson this day under cover of the following brief letter to "Messrs. C. & J. Sands." "I have the honor to inform you that in consequence of your Memorial the United States in Congress Assembled have been pleased to pass the enclosed resolution a copy of which I have transmitted to the gentlemen therein named." PCC, item 18A, fol. 104.

Charles Thomson to James Milligan

Office of Secretary of Congress, June 28. 1785

The late Contractors for the moving army and the Contractors for supplying in the year 1782 the garrison of West point & its dependencies, having stated to Congress a failure on the part of the late Superintendt of finance & that they have been aggrieved by that failure, Congress have been pleased to appoint the three gentlemen mentioned in the enclosed resolution[1] to enquire into the particulars & determine what damages if any have been sustained from that failure or from the Superintendant's withdrawing the contract; And that the gentlemen may obtain full information. Congress have as you will see by the enclosed resolution directed you to attend on behalf of the United States, & have empowered you to employ Council if necessary.

I am, Sr, Your most obedt & most humble Servt. CT.

LB (DNA: PCC, item 18A). Addressed: "Mr J. Milligan, Comptroller."

[1] See the preceding entry.

John Habersham to George Washington

Sir, New York, 29th June, 1785.

I do myself the honor to inclose you a letter from Miss Ruthey

Jones, of Georgia;[1] and shall be happy to forward any communications you may be pleased to make to that lady.

With the highest respect, I am, Sir, Your Obedient, humble servant.

John Habersham.

RC (DLC: Washington Papers).

[1] For this May 7 letter from Ruthey Jones of Belfast, Ga., who was reasserting a long-standing claim of kinship with Washington, see Washington, *Papers* (Abbot), Confederation Series, 2:540–42.

Charles Pettit to Nathanael Greene

Dear Sir, New York 30th. June 1785

Being informed by Mr. Pierce (PMG)[1] that you are probably now at R. Island, I venture to write *at* you as at that Place. You have heretofore been informed of the Wreck of Col. Biddle's Affairs.[2] I am one of those to whom it is committed to save what we can from the Wreck. Among other objects, our Attention is drawn to the Lands in this State near Kaatskill in which you are interested as Tenant in common. Mr. Biddle seems confident you will readily join us in making an entire Sale of the Whole; but before we can safely act on that Plan we must know your Mind more directly. Mean Time we are giving Orders, through Mr. A. Gilchrist, to a Mr. Cockburne, to lay off the Land in Lots of 200 to 300 Acres, with a View to sell it in such parcels, probably at Auction, as we must sell Col. Biddle's Estate with all practicable Expedition. I fear the Lands will sell at a low Rate. I can get no Encouragement to expect more than a dollar per Acre, tho' Col. Biddle's Ideas were raised to 20/ or upwards. If you should think proper to join in the Sale, it may be well for you to impower some Person to act for you in the Business by special Power of Attorney. Mr. Adam Gilchrist, who formerly lived with Mr. Biddle, now resides in this Town & I believe is worthy of trust. If you were disposed to lodge this Power with me it would perhaps be best to put it into other hands on Acct. of my Trust in Col. Biddle's Estate.

I have been in this Town 4 or 5 Weeks, studying Forms in the temporary School established by the U. States. As yet I am but a Novice, & like most Boys on first going to School, see so many Difficulties before me, that wish myself at home again. We triffle away much Time, but luckily the Doors are not open to expose many of our Follies; I wish our Journals would testify more Wisdom & System in our Decisions than I can perceive in them. We have long been choosing a Minister for the Hague. The Choice of 7 States fell on Gov Livingston; he has declined. The Friends of Gov. Rutledge are offended, but he is again in Nomination without their apparent Approbation. Chancellor Liv-

ingston is also named. On a former occasion he refused to be run for this Place, tho' he wanted to be appointed, as I am told, for London. A third Comr. of the Treasury is wanted to add to Mr. Osgood & Mr. Walter Livingston—it is said it must be a southern Gentn. Mr. Gervais was appointed & refused. Mr. Eveleigh has been named & withdrawn. Mr. Cuthbert (Treasurer of Georgia) is named but not much known. He & Mr. A Lee, in various Attempts, have each had from 4 to 6 Votes but get no higher. Can you help us to a Name from the southward that is suitable.[3] I am told I have been in nomination some time ago, but I have been in the Q M Departmt.[4] & besides I do not reside far enough south, the Northern & Middle Regions having each one already. If I had been chosen I believe I should have accepted it from no other Motive than to get clear of the Politicks of Pennsa. I have been lugged in there against my wish, & I know not how to get out with honor but in some such way as this. I fear the Event of the next Election. What would be flattering to some Minds, I shudder at the Apprehension of—recent Examples enhance the Danger in my View. And yet I feel a Desire for the Success of a particular Interest in that State, from various motives, but I would rather see their Measures conducted by an abler Pilot than my fears admit will be found.

I set out in Haste to give you but a few Lines on Business, but I have exceeded my own Views, in the Length to which I have run.

With warm affection I am, Dr Sir, Yours, Chas Pettit

RC (MiU–C: Greene Papers).

[1] That is, paymaster general John Pierce.

[2] For an announcement in March of the bankruptcy of Philadelphia merchant Clement Biddle, former commissary general of forage under General Greene, 1777–80, see Washington, *Papers* (Abbot), Confederation Series, 2:410–11.

[3] Arthur Lee was elected to this post July 27. *JCC,* 29:582.

[4] Pettit had been assistant quartermaster general of the Continental Army under Greene, 1778–81.

David Jackson to George Bryan

Dear Sir New-York July 1st 1785

A case has lately come before Congress which is supposed to be of considerable consequence—it contains a dispute between the United States & some of the citizens of Pensylvania; the case is this. Fort Pitt stands in one of Mr Penn's manors of which he has lately sold a considerable part to several purchasers—that part of the fortification & garrison which has been occupied & much improved during the late war is sold among the other lot's—I mean the ground on which the improvements stand.

The purchasers have made application by memorial to Congress to be put in possession of the ground so purchased & the buildings standing thereon. The memorial was referr'd to the Secretary at War to report—he has done so & gives it as his opinion that the United States still require to have a millitary Store house at that Post & that it cannot be given up; this report lies on the table ready to be called up & acted on.[1] I observed in the house, that the case was deemed to be new & that there was rather a reluctance in gentlemen from giving their opinion. I think the merits of the case will turn on the act of Assembly of our State passed Feby 20th 1780 entitled "an act for the preservation of buildings erected upon the lands of divers inhabitants of this commonwealth for the use of the United States & vesting such land with the buildings in the United States during the war," &c&c. If at the conclusion of the late war, the property vested in the United States by the act above recited absolutely ceased—then the premises must be given up—but if upon a still existing necessity tho the war was over, the property could be retained, then I think it would be of use to the United States still to have it in possession for sometime to come untill the country below was more fully settled. I will be much obliged to you for your private opinion on this act & how far it may be supposed to operate in the present case. I will further inform you that from accts lately transmitted from the commanding officer at Fort Pitt, an ejectment has been bro't against him, under the act above aluded to, because he refused possession. All accts here from the country below Fort Pitt agree that the people are flocking there in great abundance; & possessing themselves of the lands lately ceded to the United States without leave or licence. I could wish that country surveyed as soon as possible so as to have the lands at market in a legal way—some late accts from Col Hamar at Fort McIntosh inform that he had driven off near 300 families who had settled in this irregular manner—this seems rather a species of cruelty, yet something must be done to prevent more confusion & bad consequence hereafter. Capt Hutchins will leave this City on Monday to proceed to the business of his mission into that country immediately—there will be six Surveyors who will attend him immediately. The Spanish Frigate from your Port is expected here daily. I thought she was to sail immediately for the Havana. There is no immediate prospect of Congress rising—much remains to be done, that ought to be done before that event should take place.

I remain, with much esteem, Sir, your very Hbl Servt,

David Jackson

RC (PHi: Bryan Papers).

[1] A May 9 memorial of William Duer, agent for Turnbull, Marmie & Co. of Philadelphia and their associates Isaac Craig and Stephen Bayard, praying for the immediate evacuation of Fort Pitt so that his clients could make use of the land and buildings for

operating a grain distillery had been referred to the secretary at war on May 10. Secretary Henry Knox's May 12 report simply recommended "that the prayer of the memorial cannot be granted," but no action was ever taken upon it. See PCC, item 78, 8:131–34, item 151, fols. 5–11; item 190, fol. 37; and *JCC*, 28:351n.

In the meantime, Craig and Bayard had been proceeding with an ejectment against Lt. David Luckett, commandant of the garrison, in the Pennsylvania courts on the grounds that Gen. Thomas Gage had authorized the relinquishment of crown rights in the fortifications and buildings to the Pennsylvania proprietors after the Treaty of Paris of 1763. They further argued that the Pennsylvania law authorizing Continental use of the land *"during the war,"* no longer justified a Continental claim to the site, but Luckett had refused to surrender possession of the Fort without explicit congressional authorization.

Their suit went to the heart of the nature and extent of Continental jurisdiction in such areas, and Congress chose not to confront the issues raised in the claim. On the other hand, Pennsylvania was apparently not prepared to abandon possession of the fort either should Luckett withdraw the garrison, for Jackson indicated to Bryan on July 13 that President Dickinson had instructed the Pennsylvania delegates to ensure that in such an event the property should be delivered by Luckett to John Ormsby, Michael Huffnagle, Robert Galbraith, and Thomas Galbraith, who had been appointed state commissioners for this purpose.

Although rebuffed, Turnbull, Marmie & Co. refused to be deterred, appealing to Charles Pettit on their behalf on August 30, and submitting a new memorial to Congress on December 27, 1785. The latter was not taken up until March 20, 1786, when it was submitted to a committee which reported on the 24th that "under present circumstances . . . Fort Pitt should remain in the possession of the troops of the United States," but no action was ever taken on this report either.

Duer's memorial is in PCC, item 78, 8:131–34; Luckett's correspondence at item 163, fols. 443–64; and Knox's report at item 151, fols. 5–11. Turnbull, Marmie & Co.'s August 30 and December 27 appeals are in PCC, item 42, 6:359–62, 7:471–74; the March 24, 1786, committee report against them at item 19, 6:107–8 (although misdated March 24, 1785, in *JCC*, 28:197). See also *JCC*, 28:351n, 462–63n, 30:117n; *Pa. Archives*, 1st ser. 10:429–30, 462, 468, 477–78, 498; *Pa. Council Minutes*, 14:498, 517; Jackson to Bryan, July 13; and Charles Pettit to John Dickinson, August 12, 1785.

Charles Thomson's Memorandum Book

[July 1–26, 1785]

July 1st. Delivered to General Butler one of the Commissioners for negotiating with the Western Indians a sett of the Journals of Congress from 1774 to 10th of June 1785 (1780 excepted).

5th. Transmitted to the Executives of the different States from Newhampshire to Georgia inclusive two Copies of the proceedings of Congress from the 7th of April to the 10th of June 1785.

Delivered to Mr. Gardner a Copy of a resolve of Congress passed the 20th June respecting Mr. R Morris superintendant of finance.[1]

12. Delivered to Mr. Pettit Journals of Congress for the years 1779, 81, 82, 83, 84 and up to the 10 of June 1785.

15th. Delivered to Mr. Thomson Commissioner for settling the accounts of the State of Connecticut with the United States the Journals of Congress from Novbr. to the 10th of June 1785.

18th. Deliverd to Isaac Sherman for Roger Sherman Journals of Congress for the years 1779, 1784, and from November 1784 to 10th of June 1785.

19th. Sent to the Office of foreign affairs two Letters from his Most Christian Majesty dated 31st May 1779 and the 10th March 1781.[2]

20th. Transmitted to Mr Pinckney a Duplicate of a Letter dated July 5th to Mr. J Rutledge Notifying him of his appointment as Minister to the United Netherlands, and the Acts of Congress relative thereto.[3]

Delivered to the Post Master general Journals of Congress for the years 1783 & 1784 and to the 10th of June 1785 with the proceedings of the Committee of the States.

23d. Delivered to Mr. A Lee Journal of Congress for 1779.

25th. Delivered by order of Mr. Thomson 2 Certificates to Monsr. Dedevens which came enclosed in his Memorial.[4]

26th. Delivered to the Secretary for foreign affairs a Letter of 8th July from Don Diego Gardoqui to Mr. Jay and translation.[5]

Letter from the King of France of 10th May 1785 & translation.[6]

MS (DNA: PCC, item 181). In the hand of John Fisher. A continuation of Thomson's Memorandum Book, June 1–30, 1785.

[1] See *JCC*, 28:468.

[2] See *JCC*, 15:1279, 20:556–57. The original letters are in the PCC Miscellaneous Papers, M332, reel 5, fols. 343–44, 363–64.

[3] See Thomson to John Rutledge, July 5.

[4] These certificates have not been identified, but for the efforts of Maurice Desdevens to obtain a settlement of his Continental claims, see *JCC*, 28:351, 366n. 489n, 29:497, 519–20, 577; and PCC, item 35, fols. 231–48.

[5] See *JCC*, 29:496; and PCC, item 97, fols. 54–56.

[6] This letter is in the PCC Miscellaneous Papers, M332 reel 5, fols. 357–58; a translation is at folio 383.

William Samuel Johnson to Samuel William Johnson

New York July 2d. 1785. Expresses relief at Mrs. Johnson's safe return home from New York and touches upon some family and business matters. "I regret that I did not take from Mamma particular Instructions relative to procuring Servants. A Ship has arrived here with German Servants both Men & Women. Most of them were sold before I heard of it, & probably they will be all gone before I can receive an answer from you. I will however mention to you that the Girls, some bred to common House work, others to Farming, are sold at 15 Guineas, for 3 Years & an half. A Man (a little acquainted with Carpenters Work) & his Wife at 36 Guineas, 4 Years. A Man & his Wife about 30 Years old, with their Son about 8 Years old, bred Farmers,

both the Man & Woman used to Mowing, Threshing &c at 40 Guineas for 4 or 4½ Years. The sister of this Woman, a likely Girl about 16, also at 15 Guineas, 3½ Years. If Mamma wishes to obtain any of them, you will let me know, & if they are not gone I will endeavour it, but must in that Case hope for some Money from Stratford, as I Imagine I shall hardly have a sufficiency for that & other purposes here. It is with pleasure that I see you have receiv'd some of Noble. The Servants are I think rather dear, especially as they cannot speak a Word of English, & it will be sometime before they can be made useful."[1]

RC (CtHi: Johnson Papers).

[1] Johnson also wrote to "Billy" on July 11, expressing concern over the state of Mrs. Johnson's health and concluding with the following postscript on the disappearance of their family slave. "Present absconded last Night in Compy. with a free Negro, a tall Fellow. It is probable they are yet about Town. You need take no Notice of it, but if she sho'd appear in yr. Quarter, will mention it to me." Johnson Papers, CtHi.

Charles Thomson to Thomas Hutchins

Sir Office of Secretary of Congress, July 2d. 1785.

I have the Honor to enclose you an Act of Congress, by which they have been pleased to empower you to employ three or four Indians to accompany you in surveying the western Country.[1]

I am, Sir, Your Most obedt humble Servt., CT

LB (DNA: PCC, item 18A).

[1] For this June 30 resolve to assist the geographer of the United States in surveying western lands, see *JCC*, 28:488.

James McHenry to Daniel of St. Thomas Jenifer

Dr. Sir. Philadelphia 4 July 1785.

I have been on a visit to this place for a few days. Mr. J. Henry is to leave New-York to-morrow whither I return with a great deal of reluctance and much inconvenience to my private affairs.[1] It is absolutely necessary however that our State should be represented—the requisition for 75[2] having not yet passed the old-paper-money being still before Congress—besides many other important questions in which we are peculiarly interested. But altho' I return immediately to New-York I do not conceive that it will be in my power to continue beyond the latter end of August. I have drawn upon you accordingly for two months which I presume will be the last. In the mean while I hope it will suit some other gentleman to come forward.

By the requisition for 74 [*i.e.,* 84] the States are permitted so to model the collection of taxes and their payments into the fœderal treasury, that three fourths of any sum being paid in actual money the other fourth may be discharged by the interest arising upon liquidated debts due by the United States to any of their citizens. Any state therefore being in possession of certificates of liquidated debts due to her citizens may pay the interest thereon in part of that requisition agreeably to the proportion thereby established. Our State I suppose has the original loan office certificates which she received from her citizens who adopted her for their debtor, the interest upon which she may use as far as the same will apply in the discharge of the requisition of 74 [84] or any future requisitions on the same principle. In addition to these loan office certificates I have been thinking whether it might not be so contrived as to obtain from the pay-master or person authorised to settle with our late line, certificates to the amount of the partial advance made by the state, without the consent of Congress, either in the names of the officers & soldiers themselves or in your name as their representative. Nothing can be more reasonable and just than that the state should be put in the situation which her troops would be in had she made them no advance. They would get a certificate intitled to and bearing an interest to be paid annually by the United States. Any individual who had purchased their right to five months pay would have got a certificate. The state purchased such right and ought to have such certificate as they themselves would have obtained. Should the State only get a credit for her advance to her line, it would be getting nothing. A *State credit* intitles a State to *no interest* until a final adjustment and partition of the public debt; and then only, if it appears that she advanced beyond her proportion, in which case she will be intitled to an interest upon what she has exceeded that proportion. Now as the day of partitioning the advances of the several States, as some have conjectured, may be as remote as the day of judgement, such a credit is not likely to be of much service to our State. Perhaps you will have it in your power to carry this operation to many other advances made by our citizens to the United States, which our state has either assumed the payment of or has actually paid, and which is not yet adjusted by the fœderal commissioner who has power to settle such accounts.

But I have another object in view besides obtaining certificates for the use and benefit of the State. Impressments were made within our State for the support of the army employed in the siege of York, and I believe at the pressing instance of General Washington. I wish to be provided with authentic copies of his letters on this occasion, for I think it behoves us to endeavour to get a credit for what was then furnished out of the next requisition. The supplies drawn from the eastward for that siege were paid by contract; and there can be no doubt

but that what we furnished would have been also on contract, had not the army required a more instant mode for its support. You will therefore be good enough to hasten forward with as much expedition as possible a copy of the documents and act upon which the impress was founded. It would be a great relief to the State could we obtain a credit in the next requisition for what we then furnished. At all events it is our duty to try to obtain it.

If there was a reasonable hope that a final adjustment and apportionment would take place in a reasonable time these matters would be of less consequence—but under present appearances you will perceive, whether the States be called upon for specie to pay the whole of the interest on the domestic debt, or whether they be permitted annually to pay a part thereof by discounts in the mode proposed by the last years requisition that in either case it is equally important and to the interest of our State to get certificates in as many instances as possible instead of a *State credit* which cannot be a present convenience to the State, and which eventually may prove of no service.

Present my cordial regards to Mr. Stone. Advise with him on these matters for he understands them better than I do and believe me to be Dr Sir yours very sincerely, James McHenry

[*P.S.*] I must ask your forgiveness for this letter as I have not time to make a fair copy.

RC (NN: Emmet Collection, no. 1025).

[1] John Henry last attended Congress on July 2. McHenry had apparently left New York for Philadelphia after attending Congress on Tuesday, June 21. In a June 19 love note to his wife, in which he burst into verse at the prospect of being reunited with her, McHenry expressed the hope "that I shall be able to leave this place on Tuesday evening so as to be with my beloved on Wednesday." McHenry Papers, MdHi. He did not resume his seat in Congress until July 12. See *JCC,* 28:471, 479, 29:494, 497, 520, 524.

[2] That is, 1785. McHenry also wrote "74" for 1784 twice in the following paragraph.

Charles Thomson to the Court of Appeals Judges

Gentlemen, Office of Secretary of Congress, July 5. 1785

I have the honor to inform you that the comee. to whom was referred the letter of 23 Decr. 1784 from Messr. Griffin & Lowell two of the judges of the Court of Appeals reported as their opinion "that the present judges of the court of Appeals are still in Commission & that it will be necessary that the court of Appeals should remain upon its

present establishment except with respect to the salaries of the judges which should cease from the ——— day of ——— and that in lieu thereof they should be allowed ——— dollars per day during the time they shall attend the sitting of the courts and including the time they shall be necessarily employed in travelling to and from the said Courts."[1] When this was taken into Consideration it was the opinion of some that the commission of the judges of the court of Appeals should be vacated and annulled and for this purpose they moved to postpone the report in order to take up a proposition to this effect; but this not being carried the report was recommitted and thereupon Congress passed the resolution, which it becomes my duty to transmit and by which you will see the salaries of the judges of the Court of Appeals are continued only to the first of this Month.[2]

With great Respect, I have the honor to be, Gentlemen, Your most obedient & Most humble Serv,

LB (DNA: PCC, item 18A). Addressed: "The honble. Cyrus Griffin, the honble. George Read, The honble. John Lowell."

[1] For this report on the letter from Griffin and Lowell, see Thomson to John Lawrence, February 20, 1785, note 2.

[2] For this July 1 resolution, which was adopted after Congress failed to take action on a motion for formally vacating the commissions of the judges of the court of appeals, see *JCC*, 29:491–93.

Charles Thomson to John Rutledge

Sir, Office of Secretary of Congress, July 5. 1785

I have the honor to inform you that the United States in Congress assembled have this day Unanimously elected you their Minister plenipotentiary to the United Netherlands.

The acts of Congress which you have enclosed will give you more full information of this matter and of the emolument, & duration of the appointment.[1]

You will please to accept my congratulations on the occasion, and an Assurance of the great respect & esteem with which I have the honor to be, Sir, Your Most obedt & Most humble Servt,

LB (DNA: PCC, item 18A). Endorsed: "The first sent in the Helena—Capt. Williams—sailed from Phila. the 9th July 1785."

[1] Thomson noted in the margin of this paragraph that the enclosed acts were dated May 7, 1784, and February 18 and July 5, 1785, for which see *JCC*, 26:353–54, 28:84, 29:497. Rutledge's August 1 letter declining the appointment was read in Congress on the 24th. *JCC*, 29:654–55.

William Samuel Johnson to Matthew Griswold

Sr., New York July 9th. 1785.

Coll. Cook having found it necessary to return home for a few Days, it is incumbant upon me singly to Acknowledge the receit of yr. Excellys. several favours of the 16th, 21st & 27th of June with their inclosures.

Genl. Parsons having before we rec'd his Nomination to the Surveyorship been appointed to another Office by Congress we tho't it expedient to suspend the Nomination till he sho'd have determined with respect to the other Appointment, which I hope we shall soon be inform'd of.[1] Mean time having stated the Circumstances of the Affair to the Geographer, such arrangements will take place as to prevent any Inconvenience from the delay. The Attention of the Genl. Assembly to make provision for our support here & yr. Excellys. Instruct[ion]s to expedite the Collection of the Money are very obliging, & lay us under the strongest Engagements to Endeavour strenuously that our Attendance here may be of some use to the public. The solicitude the Genl. Assembly have express'd for the speedy settlement of the Accounts of the State of Connecticut with the United States is extremely laudable. It is an Object of the highest Importance, & the want of such a settlement among all the States in the Union gives extreme Embarrasst & Delay to all Fedaral Measures, Every State contendg that they are in Advance. Strongly impress'd by the experience of these Inconveniencies, Congress have for some time past turn'd their Attention to this subject & have very lately refer'd it to the Board of Treasury to consider & Report Measures & Arrangements to facilitate & expedite the settlement of those Accounts, & with the greatest dispatch to effect a complete adjustment of all the Accounts of the Union.[2] What that Report will be, or what Measures may finally be Adopted it is impossible to foresee. But I conjecture it may probably terminate in the Appointment of new Commissioners where it shall be found Necessary whose Attention shall be confined solely to the State accounts with the Union, and to Oblige the several States to Exhibit their Accounts within a limited time under some Penalty, perhaps the loss of the Interest upon every Account which shall not be Exhibited to the Commr. by the time specified. These measures anticipate in some degree the Views of the Genl. Assembly of Connecticut & will I hope produce effects eventually correspondent to their Wishes. In the mean time they have the less reason to be deeply Anxious about their particular Accounts, as few States, I believe are so forward as Connecticut, some have hardly as yet enter'd upon the business & of those States who have begun, very few I fancy have made so much progress as Connecticut And till all are compleated no final Adjustment you are sensible can be effected.

Notwithstanding the Measures already adopted I have laid your Excellys. Letter upon this Subject & the Remarks received some time since from the Commee. of Pay Table, before the Board of Treasury & shall with the Assistance of my worthy Colleague pursue every measure requisite as well to obtain an early Report from the Board, as to expedite the eventual Measures to be taken by Congress thereupon.

The Requisition still labours under multiplied Obstructions which no Efforts hitherto exerted, tho' they have been extremely vigorous, have yet been able to remove.[3] Congress have lately spent some time upon the subject of Commerce, as well as that of a Mint,[4] but have yet come to no final Conclusions upon either. Those subjects will probably be resumed again next week. The affair of Wyoming is postponed to the 15th of Septr. as Other matters of Consequence are as usual in Train.

You have seen by the Papers that Mr. Gardoqui has been receiv'd as the Minister of Spain.[5] He applied yesterday to know when, & with whom he sho'd enter upon the Objects of his Mission. This shews a good disposition to the dispatch of Business to which he will receive a speedy answer, & the Negotiations may be soon open'd but I will not engage they will be very soon closed. We have much to say to him as well as he to us.

I am extremely sorry to find yr. Excellys. Health has been so much affected by the fatigues of Business. I pray God to give you perfect recovery as well as the firmest Vigor to continue yr. Attention to public Affairs & have the Honor to be with the most perfect respect & Esteem, Yr. Excellys. Most obedt. & most humble Servt.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] For Johnson's nomination of Samuel Holden Parsons on July 26, and Parsons' appointment as surveyor on September 21, see *JCC*, 29:576n, 725.

[2] On July 7 Congress had instructed the board of treasury to "report the most practicable measures for expediting the settlement of the accounts" of the states with the United States, and the following day added an instruction to the board to recommend "fixing a time for the States to bring in or lodge their Accts. agst. the United States." *JCC*, 29:516, 520n. The board's report was submitted July 14 and assigned for consideration July 20, but in the meantime Congress resumed consideration of a revised report on the requisition for 1785, and thereafter various issues related to the settlement of the states' accounts were subsumed in the debates over the requisition, which continued to September 27 when the 1785 requisition was finally adopted. See *JCC*, 29:536–39, 547–49, 580–81, 584–85, 592–93, 616–18, 621–22, 695–98. The following day Congress appointed a grand committee "To report an Ordinance for expediting the settlement of the public Accots.," but no formal action was taken on the issue during 1785, although James Monroe offered a motion on December 30 for instructing the commissioners of accounts on the use of evidence "in cases where no written vouchers are or can be produced." *JCC*, 29:779n, 912. A new ordinance on the subject was not adopted until October 13, 1786. *JCC*, 31:779–81. See also Joseph Gardner to John Dickinson, October 1, 1785; and Nathan Dane to Samuel Phillips, January 20, 1786.

[3] For some of the "obstructions" that slowed the progress of the proceedings leading to the adoption of the requisition for 1785 on September 27, see James McHenry to John Hall, September 27–28, 1785.

[4] See William Grayson to George Washington, July 25, note 5.

[5] For Don Diego de Gardoqui's July 2 audience in Congress and the subsequent cordial exchange between John Jay and Gardoqui, see *JCC*, 29:494–96.

Elbridge Gerry to Timothy Pickering and Samuel Hodgdon

Dear sirs, New York 11th July 1785

I left Boston the 27th of June & arrived in Town the 4th Instant,[1] having previous to my leaving Massachusetts, been favoured with your joint Letter of the 14th of May; & Colo Hodgdon's of the 17th of the same Month.

Every Thing is done I perceive in Mr Willings Case respecting Security, that the Law permits—I have no Reason to apprehend from him such barefaced Fraud, as that of surrendering himself to avoid the Debt; but should this be possible, & actually happen, You will take the proper steps for continuing his Confinement, untill You can hear from Me on the Subject; for I should feel a Disposition, at any Expence, to punish such a principle.[2]

I am happy to find that your Land Speculation has been successful in so great a Degree, & flatter myself there is yet an *extensive Field* for amusements of this Kind.

Will You be so kind as to inform me whether any Mode is adopted for payment of the Interest of Loan Certificates issued from Smith's office to the Citizens of other States? & also what is the Fate of the Certificates, the Numbers of which I lately transmitted You.

Mr King has communicated Mr P's Letter to him on the Subject of an appointment to the Office of Treasurer, & We are happy in having Wishes that perfectly correspond with his own Views on the Subject.

I remain Gentlemen with the most perfect Esteem your sincerely

E Gerry

[*P.S.*] Mr Hooper of Marblehead wishes to be informed of the Result of Your Application respecting his Loan office Certificates—be so obliging as to inform me of the price of good Champaign by the Dozn.

RC (DNA: RG 93, #30060). Addressed: "Messrs. Pickering & Hodgden at Philadelphia."

[1] Gerry apparently returned to his seat in Congress on July 7. He was not present at a vote recorded early that date, but was appointed to a committee later in the day. See *JCC*, 29:516, 518n.

[2] See also Gerry to Pickering and Hodgdon, July 18 and August 1; and to Hodgdon, August 25.

Charles Thomson to James Wilson

Sir, Office of Secretary of Congress, July 11th. 1785

Agreeably to your desire I enclose you Certified Copies of Mr. R. Morris's Letter of 28th May 1781[1] to a Committee of Congress and of his Letters of 21th & 27th June to the president of Congress[2]—Also the Copy of Mr Meriweather Smith's Motion[3] mentioned in the first Letter which had been referred to the Committee to whom that Letter was addressed, together with the previous and subsequent proceedings of Congress on that motion.

You have also enclosed the Act of Congress of 6th July 1781 approving the Superintendant's acceptance of the trust and powers granted him by certain resolutions of the Assembly of Pensylvania bearing date 25th June 1781;[4] and a Copy of Mr President Reed's Letter of 22d May 1781,[5] stating the inefficacy of the modes provided by the Assembly for procuring supplies and the inability of the Executive to render those services which the importance of the occasion demanded.

With great respect I have the honor to be, Sir, Your most obedt. & most hum servt. CT

(DNA: PCC, item 18A).

[1] Actually May 29, for which see Morris, *Papers* (Ferguson), 1:87-88.

[2] Ibid., pp. 161–62, 185–86.

[3] See ibid., p. 95n; and *JCC*, 20:555–56.

[4] *JCC*, 20:723–24.

[5] See *Pa. Archives*, 1st ser., 9:162–63.

David Howell to Abraham Yates

Dear Sir, New York 12 July 1785.

Your favour of 30 Ult. came duly to hand & for which you will please to accept my thanks. The kind notice you have been pleased to take of me & the opinion you seem to have of my good intentions are exceedingly flattering—& you will suffer me to assure you that I have enrolled you in the List of my particular friends—and that a line from you will at any time find a very welcome reception.

Soon after you left the City I was taken very ill of a violent cold. For about 4 weeks I was unable to attend in Congress.[1] I am now, blessed be God, in a good way of recovering; but do not find myself, even yet, fully capable of undertaking any business that requires close attention. This is the true & only reason that you have not heard from me

before. I cannot promise any thing but the continuation of my esteeme for you & of my attachment to the freedom of these States: However, if health should be perfectly restored, I may yet comply with your wishes on the subject you mention.

The period will doubtless arrive when the Liberties of this Country will face a sacrifice—but I hope, in God, that is not nigh. The *power-giving-System* is not abandoned, I find, by its advocates in this City & State; I hope the *Rough-Hewer* will, therefore, continue to stand with *his loins girt & his ax in his hand.*[2]

With great respect I remain, Dr Sir, Your sincere friend

D. Howell.

RC (NN: Yates Papers).

[1] Howell was unable to attend Congress May 6 to 25. See *JCC,* 28:339, 341, 389, 391, 405.

[2] Yates, the Continental loan officer of New York, "wrote frequently and eloquently, sometimes under the pen names 'Rough Hewer' and 'Rough Hewer, Jr.,' in defense of the sovereignty of his state and in opposition to Congressional aggrandizement." *DAB,* 10:598.

James Monroe to James Madison

Dear Sir New York July 12, 1785.

I enclose a copy of the journals so far as they are printed. They contain nothing you will find respecting the requisition nor the commercial interests of the union. The former upon the report of a committee hath been frequently before Congress of late and as often recommitted, in which state it now lies. As the principal part of the debt which in other States forms a part of the present estimate, for the payment of whose interest the requisition is in that degree made, contracted by Qr. Masters, commissaries &ca with individuals in the liquidation whereof the commissrs. of the U S. with those of each State are now engag'd was contracted in ours by State impressments and of course consider'd and provided for as a State debt, we thought it our duty to propose "that in all cases wherein claims of individuals by payment of the principal or other satisfactory compensation have been transfer'd to the States of which they are citizens, the sd. States shall be consider'd as Standing in the place of the individuals and entitled to all the benefits which wod. otherwise have belong'd to them." Two thirds of the amt. requir'd will be necessary to discharge the interest upon the domestic debt, & this may be so modified in the collection as to admit certificates of interest in discount upon the liquidated debt. Our object therefore was to extend this facility to the State to obtain for her a discount of so much as she paid to her citizens of those debts due them by the U States, and thereby prevent the payment of double her proportion, for the discharge of similar debts

within other states while she was exhausted by making it to her own citizens. To complete the facility to the States whose accts. were unliquidated, we also propos'd, "that for that reason and as each State suppos'd she had advanced her fœderal quota and requisitions upon a contrary principle, untill they shod. be liquidated, might be injurious to those with whom it shod. be the case, so far as they applied to the domestic debt that the requisitions might be so modified in their collection as that the States might pay in their quotas in either the principal or interest of such accts. as shod. be liquidated." We presum'd the U States wod. be benefited by a State's availing itself of this facility, as it must always be the interest of the debtor to diminish the principal in preference to the interest of a debt where the engagment is not to pay interest upon interest. Lastly we propos'd "that dolrs. shod. be deducted out of the requisition in payment of that amt. of the advances of the State for the expedition to the Kaskaskias &ca." These propositions were not recd. in the most favorable manner.[1] As to the first they said "that the assumption on the part of the State & payment to its own citizens of the debts due by the U S. were voluntary acts, that such advances therefore must be consider'd as State-advances and to be taken into consideration upon the final liquidation of State accts. when the advances of all the States and their respective quotas were ascertain'd and apportion'd. That these advances also were in discharge of specific requisitions to which the State had given its assent in a motion by her delegates when the detachment of Wayne was marching southwds." We answer'd that the failure in specific requisitions (and we would grant we had absolutely fail'd which however was not the case) was like failures in all other requisitions, that if we paid less in that than other States we had exeeeded in equal degree in other instances, that these payments or failures under requisitions stood on the same ground & were to be settled on the same principles. That the resolution respecting Wayne was confin'd only to the troops under his command and untill he shod. reach the Marquis of Fayatte, or if extended to all the regular troops then in the State or during the campaign it had no connection with the Militia and State impressments for militia & regular troops; or if extended to the whole in either instance and untill the payment of the whole requisition, for the extra-advance there shod. be some consideration. In opposition to the 2d proposition it was urg'd "that here is the estimate of the publick debt for the payment of whose interest a requisition is to be made; how can the interest be paid upon the estimate when the money necessary for it is to be applied to the discharge of the principal in some of the States." Upon the 3d proposition we had previously taken the sense of Congress but we thought proper to bring it again to their view that we might know what they intended doing in it. They were all three committed after several days debate & the opinion of

the committee being agnst them after a few days obtain'd a discharge. The report of the requisition will probably be brought in to day. All the States Eastwd. of Pensyla. inclusive are interested in keeping up the present estimate and regulating the collection of the sums call'd for so as to pay the interest of it and of it alone. In vain it is argued that it is not founded on the true state of the domestic debt and therefore improper & oppressive. That untill the liquidation takes place it shod. be accomodated as much as possible to the convenience of the States. That it cannot be expected whilst some of the States fail altogether & present at the same time an assylum to those who fly from the duties of govt. that others will continue to harrass their citizens in making payments. I intended saying something upon the commercl. subject but have not time. Don Diego de Gardoqui hath arriv'd & been presented to Congress. He presented a letter of credence from the King & has full powers to treat upon the subject of the disputed boundary &ca yet he is stil'd Encargado de negotios, in consequence of the character of our resid[en]t at Madrid. We take his stile from his letter of credence & call him Encargado de negotios. He is a polite & sensible man. I have enquir'd into the report of the commissrs. of Georgia to treat with those of Spn. & find it hath arose from the application of a vain old man[2] to the Georgia Legislature who recd. for answer "they wod. attend to it in good time" returning home under an impression his affrs. were in a good way & gave those he conferr'd with reason to believe he was authoriz'd to treat. This the Delegates of that State suppose to be the case. Yr. several letters to Mr. Jefferson I have regularly forwarded in the packets as I have recd them. I am dear Sir very respectfully yr. fnd. & servt. Jas. Monroe

P. S. What say you to a trip to the Indian Treaty to be held on the Ohio—sometime in August or Sepr. I have thoughts of it & shod. be happy in your company. We might meet somewhere on the way—or perhaps you have thoughts of a trip this way—packets sail every week eastwd. to R. Island & Boston—a stage is also establish'd to lake George & the communication over lake Champlain to Montreal and Quebec easy & expeditious. Agreeable company may be found either way.

RC (DLC: Madison Papers).

[1] For these three provisions in Monroe's motion of June 22, sixty copies of which were printed for debate, see *JCC*, 28:473–74, 29:924; and PCC, item 36, 3:49–52. On July 18 the Virginia delegates reasserted the first and third of Monroe's claims concerning credit to states for impressments and reimbursement to Virginia for the expenses of George Rogers Clark's western campaigns, but both were defeated by sectional votes with Virginia standing alone on the latter provision. *JCC*, 29:547–49. See also Virginia Delegates to Patrick Henry, April 2, note 2.

For an explanation of Monroe's special use of the term "facility" to describe discounts on interest paid by a state on loan office certificates held by its own citizens, see James McHenry's Committee Report, ante March 31, note.

[2] That is, Thomas Green whose petition to the Georgia legislature on behalf of the inhabitants of Natchez led to a February 1785 authorization to establish the county of Bourbon in territory under Spanish control. Four commissioners, including Green, were dispatched to negotiate with Spanish authorities but were expressly instructed to avoid any conflict with Spaniards or Indians and to exert authority only in those areas Spain did not claim or was willing to relinquish to them. Arriving first, Green violated his instructions by threatening the Spanish commandant with military expulsion and attempting to form a county government under his own leadership. Upon their arrival, the remaining commissioners sought to pacify Spanish authorities while local residents divided into pro-American and anti-American camps. Learning of the dispute, the Spanish minister in New York, Don Diego de Gardoqui, protested Georgia's interference in West Florida in a letter of September 23 to the secretary for foreign affairs which was presented to Congress and referred on the 27th to a committee consisting of William Grayson, Abraham Baldwin, Rufus King, John Kean, and William Samuel Johnson. Congress adopted the committee's report on October 13 but in so doing ignored the fact that under the Articles of Confederation no state could negotiate with a foreign power over territorial jurisdiction. It chose instead to assert its own right to the territory in question, although it expressed its disapproval of "the unwarrantable attempts of any individual to disturb the good understanding" subsisting between the two nations. For their part the Georgia delegates disavowed Green's actions and assured Gardoqui that "the emigrants to that Country were expressly inhibited from interrupting the Subjects of Spain, or any other persons whom they might find in possession of the territory or any part thereof." The matter ended when Spanish authorities acted on the orders of Bernardo de Gálvez, the viceroy of New Spain, and expelled the Georgia commissioners from Natchez. See *JCC*, 29:774n, 829–30; PCC, item 97, fols. 81–90, item 190, fol. 68; Kenneth Coleman, *The American Revolution in Georgia, 1763–1789* (Athens: University of Georgia Press, 1958), pp. 261–64; and Edmund C. Burnett, ed., "Papers Relating to Bourbon County, Georgia, 1785–1786," *AHR*, 15 (October 1909–January 1910): 66–111, 297–353.

Charles Thomson to William Thompson

Sir, Office of Secretary of Congress. July 12th. 1785

Herewith you have enclosed a Letter of the 6th from D. Stoddard, together with an Act of Congress of the 8th referring the said Letter with the papers enclosed to you in order that you may liquidate and finally settle all his accounts with the United States.[1]

I am, Sir, Your most obedient and Most humble Servt.

C.T.

LB (DNA: PCC, item 18A). Addressed: "Commissioner for settling the Accounts of Connecticut with the United States."

[1] Dr. Darius Stoddard's July 6 letter is not in the PCC, but it was probably concerned with his efforts to obtain a settlement of his depreciation pay while employed in the hospital department in Connecticut, which he had originally sought in April 1783. See PCC, item 78, 21:301–5; *JCC*, 24:262, 316, 329; and Morris, *Papers* (Ferguson), 7:748–49, 790.

For the July 8 resolve directing Thompson to "liquidate and finally settle all the Accounts of . . . Stoddard with the United States," see *JCC*, 29:518.

David Jackson to George Bryan

Dear Sir New York July 13th 1785

A little excursion for a few day on long Island prevented my attention before this time to your two last favors of the 7th & 9th Inst. I am sorry to find the Wioming people so very obstinante in their resistance to the laws of Pensylvania, they must have secret abetors from some interested persons in Connecticut, otherwise ever since the decree of Trenton I should have thought it their interest peaceably to have submited. They have it is true many of them been cruelly treated by interested citizens among ourselves, but when the legislature interfered in their behalf & afforded them every relief, they were bound at least in gratitude to an acquiescence to those laws which gave them such liberal protection. Mr Wilson when here last week showed us the Report of the Committee of the Assembly to Council on this Wioming business[1]—it is not very favourable to those people, as the assembly meets in August next, it was thought best not to move in this business here untill their sentiments was known on the subject in consequence of the Report of their Committee—accordingly Thursday the 15th of Septr next is fixed by the delegates of this State with the approbation of those of Connecticut, to introduce the business in Congress—in the mean time the sentiments of our Legislature will be obtained. I should suppose the previous question when the matter comes to be agitated in Congress will be, whether those people are entitled under the articles of confederation to a fœderal court, to determine the private right of soil?[2] Should this question be determined in the negative, then the Legislature & the Executive of the State would be at full liberty to adopt such measures as to them should seem meet to bring those offenders to justice, but before this point is settled, coercive measures on the part of Pensylvania would probably be premature.

The buildings at Fort Pitt solicited to be given up I believe were built principally during the war; I am told they are somewhat remote from the old Fort; they seem to me to come fully within the acct. of 28th Feby 1780, but I think it rests with the United States to judge whether they are necessary to be retained or not.[3] I do not know that any Quarter Master or other officer of Congress has any concern in the matter. There is however something mysterious in this subject. The delegation a few days ago received a letter from President Dickenson in Council, desiring them to procure directions from Congress to the commanding officer at Fort Pitt, that on his removal from that place, he deliver up the possession thereof to John Ormsby, Michal Huffnagle, John Proctor, Thomas Galbraith & Robt Galbrath Esquires or some of them citizens of the State—no reasons are assigned to us why the measure becomes necessary. The business of appointing commissioners to investigate the accounts of the late superintendant of

finnance, has been for sometime at a stand, because suitable characters seem difficult to be found. I confess myself at a loss on the subject—the influence of the great man is so extensive in Philada, that few probably of the citizens there properly qualified could be found perfectly free from bias—Can you point out any persons either in Pensylvania or elsewhere which you would suppose fully qualified? I believe there is not much to be feared, provided General M. should ascend the Presidential chair in Pensylvania[4]—he has not steadiness sufficient to pursue any plan long enough to render it very mischievous, provided he was so disposed—great as the honor may be, yet the seat will be irksome & the tax heavy on the score of peace of mind. I perfectly coincide with you in opinion that the test laws may now rather be of a mischievous tendency & that there is not so much danger to be apprehended from their repeal as is generally supposed; but the great difficulty is to persuade the real Whigs of this truth—it will require some delicacy & perhaps a little management to make this matter agreeable to their feelings, & indeed considering their sufferings & services in this revolution they ought not to be wantonly offended.

The famous Dr Chandler formerly an episcopal clergyman at Elizabethtown in New Jersey,[5] but who absconded early in the contest, arrived here a few days ago from Shelburne, I do not understand that, in consequence of his sufferings for his royal master, his head is adorned with the Mitre, notwithstanding it is generally supposed to have been his most anxious wish—his parish is still vaccant at Elizabethtown, & it is supposed by many here, they will be disposed to receive him again with open arms.

Will this conduct be justifiable even on the score of policy? if we cease to punish obnoxious characters, surely it is as much as can be expected, but why reward & court them.

I remain Dr Sir, Your Obdt Servt, David Jackson

RC (PHi: Bryan Papers).

[1] This May 17 committee report is in *Susquehannah Co. Papers*, 8:241–43. James Wilson's congressional attendance is difficult to document. Although Edmund C. Burnett listed Wilson as attending July 5 to August 3, this sentence clearly suggests that Wilson was not in New York at this time, and the next roll call votes for which he is recorded are for July 28–29. Cf. Burnett, *Letters*, 8:xcv, and *JCC*, 29:524, 571, 587, 589.

[2] For the context of this issue and a discussion of the efforts of the Connecticut settlers in the Wyoming Valley to obtain a Continental hearing to their "right of soil" rather than merely submitting to the laws of Pennsylvania, see *Susquehannah Co. Papers*, 8:xxvi–xxvii; and Hugh Williamson to John Dickinson, January 14, 1785.

[3] See Jackson to Bryan, July 1, note.

[4] Notwithstanding Jackson's expectation, it was Benjamin Franklin not Gen. Thomas Mifflin who succeeded John Dickinson in the presidential chair in October.

[5] Thomas Bradbury Chandler (1726–90), an outspoken Anglican clergyman and author of a spirited pamphlet attack on Congress in 1775, *What Think Ye of Congress Now*, had just returned from exile, but failing health prevented him resuming clerical duties in America although offered the episcopate of Nova Scotia in 1786. *DAB*.

David Ramsay to Thomas Jefferson

Sir, New York July 13th 1785

By the French packet which sailed on the fifteenth of June I did my self the honour to inclose to your care 184 pages of the history of the revolution of South Carolina with propositions relative to a translation of it into the French language. I now do myself the honor to inclose to you all that is now printed—which is to page 328.

M. De Marbois the Consul General of France has done me the honor to enclose a copy of it to Count Chatelleaux to interest him in the translation if it should be thought advisable. I therefore request that any thing which may be done in the matter may be done in concert with that Gentleman. From the infant state of literature in America I shall probably lose money by my publication in the United States. Unless nine hundred copies sell at four dollars a piece I shall not be reimbursed for the expences of the impression. I therefore wish that whatsoever may be done in Europe may be done in such a manner as will interest me in the profits as well as the bookseller & the Translator & Printer. The second volume will be much more interesting than the first as it will contain the campaigns of 1780 & 1781 in the Southern States inclusive of Lord Cornwallis's surrender. If a translation should not be thought advisable I am contentd, if it should I hold myself entitled to a share of the profits. Whatsoever you do I beg may be done in concert with M. De Marbois's correspondent.

I have shewn the whole manuscript to M. De Marbois who thinks it will bear a translation. I add that whatsoever you may do in the matter will be not only approved but received as a favor conferred on your most obedient most humble servt., David Ramsay

RC (DLC: Jefferson Papers).

Charles Thomson to William Barber

Sir, Office of Secretary of Congress, July 13. 1785

Pursuant to the Order of Congress I enclose a letter of the 6 from Mr L'Eclise which is referred to you. The design, as I apprehend, of referring it to you is to put you on your guard against improper claims.[1] With great Respect I am, Sir, Your obedt humble Serv

C.T.[2]

LB (DNA: PCC, item 18A). Addressed: "The Comr. for settling the Accots of the State of New York agt the US."

[1] The enclosed letter from Dominique L'Eglise "offering information touching the claims of Canadian refugees" is not in the PCC, but for Congress' July 12 order referring it "to the commissioner for settling the accounts of the State of New York," see *JCC*, 29:531.

[2] This day Congress also directed that a memorial from Marianne McClure concerning tools confiscated by the Continental Army be referred to Barber, which Thomson forwarded with a brief cover letter dated July 15. See PCC, item 18A, fol. 111; and *JCC*, 28:195n, 459n, 534.

Elbridge Gerry to John Adams

My dear Sir, New York 14th July 1785

I have lately returned to this City after four Months Absence, & am favoured with your several Letters of the 31st Jany, 9th of March & 13th of April,[1] in neither of which is any Mention of several Letters I wrote to You in Jany, Feby & March last. You wish to be informed when "You are to be one of Us"? the Answer is easy, when You please.

I have enquired of my Friend King whether any Order is taken for enabling your Colleagues to draft Money, & he informs me, that while I was absent the Matter was committed to the Board of Treasury, & he thinks they have made the proper Arrangements. With Respect to the Money which You have borrowed & applied to discharge Mr Morris's Drafts, three Commissioners are to be appointed to examine his Accounts & if You can transmit to the Board of Treasury a State of the payments to Mr Morris, they will deliver it to the Commissioners.

The States begin to act with Spirit respecting Commerce. N Hamshire & Massachusetts have by legislative Acts prohibited the Exportation in british Bottoms of any kind of American produce, & laid heavy Imposts on british Manufactures, especially such as can be carried on in those states. Congress are considering of the best Mode of obtaining additional Commercial powers for the Regulation of internal & external Trade, but the Measure is embarrassed & they have come to no Conclusion at present.

The Department of foreign Affairs under Mr Jay, of the War Office, under General Knox, of the Treasury under Mr Walter Livingston & Mr Osgood, with a third Commissioner to be elected who will probably be Mr Eveleigh of So Carolina are well administered. Mr Gardoqui has had an audience & Mr Jay will probably be appointed to negotiate with him. Governor Rutledge is appointed Minister to the Hague.

Congress have passed a land ordnance which having been printed in all the papers You have undoubtedly seen. I think the price at a Dollar an acre too high, but the Lands properly managed may be a good fund for sinking the greatest part of the national domestic Debt. Mr Jay has made an excellent Report respecting the Consular Convention signed at Paris, which You may be assured (I think) will not be ratified.

Our Finances are a little embarrassed but I conceive the Way is clear for retreiving of publick Credit. The Debt of the public as I mentioned before may be greatly lessened by the sale of Lands, if properly managed. A short Time will I conceive increase our Staples; which have been greatly lessened by the War, so as to exceed our Imports, which happily for Us are daily decreasing. A Ballance of Trade must then ensue, which will supply Us with Bullion, & facilitate the payment of Taxes, to which We are now competent, if We had but a Medium—to be very honest with You, I think America will by being pressed by public & private Creditors, be brot to her Reflexion, & discover that she has acted like a foolish young Heir who with a great Fortune has embarrassed himself by Imprudence & Extravagance; & after this Discovery she will retrench her Expences, adopt a System of Œconomy, discharge her Debts, & then subsist independently & with Dignity on her own Means. You know I am no Friend to gloomy Philosophy, the brightest suits me best. Adieu My Friend & be assured I am yours sincerely on every Occasion, E Gerry

[P.S.] We have a Report before Congress for establishing a Mint.[2]

RC (MHi: Adams Papers).

[1] These letters are in Adams' letterbooks, Adams Family microfilm, reel 107, fols. 323–25, 340–42, 356–57. Those of January 31 and March 9 are also in Austin, *Life of Gerry*, 1:464–67, 474–77.

[2] See *JCC*, 28:354–58; and William Grayson to George Washington, July 25, note 5.

Samuel Holten to Nathaniel Gorham

Dear Sir New York, 14th July, 1785.

Since I had the pleasure of addressing you last, I have taken notice of your appointment as a delegate in Congress & a judge of the court of common pleas, & permit me to congratulate you on the Acct.

I feel myself embarrassed how to conduct with propriety, for if I should leave Congress immediately, it might look as if I had taken some exceptions, at my not being noticed in the late elections & on the other hand, I should not be willing to tarry here, if I had reason to believe that my immediate return would be most agreeable to my constituents: it has been mentioned here that the honorable court considered me not eligible, but, I think, I hinted that matter to you in my last,[1] and you being present, I make no doubt, gave the house information if it was a question there: your opinion upon the matter would lay me under renewed obligations.

I remain with great consideration & respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] See Holten to Gorham, June 6.

Charles Thomson to John Pierce

Sir July 14th. 1785[1]

On the 16th December 1784,[2] the United States in Congress assembled were pleased to refer to you the demands of the Heirs of three French Officers namely the Baron de Kalb, Col Radiere &.....[3] with orders to examine and ascertain the justice of the said demands with all possible expedition and report thereon to Congress. Much time having elapsed without a report[4] I beg leave to recommend this matter to your attention and am, Sir, Your obedient humble Servt.

CT

LB (DNA: PCC, item 18A).

[1] Thomson's clerk may have misdated this letter when he copied it into the secretary's letterbook, as Pierce's report on the subject of this letter is dated July 13, for which see note 4.

[2] See *JCC*, 27:691.

[3] That is, Francois, the marquis de Malmedy.

[4] Pierce's July 13 report on these claims, which had been revived by the French chargé d'affaires, the marquis de Barbé-Marbois, the preceding December, was referred on the 15th to a committee consisting of William Grayson, David Howell, and Rufus King, whose report was in turn submitted to Congress and adopted on August 3. See *JCC*, 29:540–41, 610; and PCC, item 62, fols. 79–82. For a thorough review of Kalb's claim and Congress' response to it, see the chevalier de La Luzerne to Robert Morris, June 4, 1783, Morris, *Papers* (Ferguson), vol. 8 (forthcoming).

James Monroe to Thomas Jefferson

Dear Sir New York July 15. 1785.

By Mr. and Mrs. Macauly Graham I have the pleasure to transmit this. They intend immediately for the south of France and as from yours in March I had reason to suspect you intended thither I have suggested to them the probability of their meeting you in that quarter. This lady is the author of the history under her name. She hath been on a visit to Mount Vernon, hath been well receiv'd by Genl. Washington & returns to Europe under the most favorable impressions of him.[1] If you shod. not be in the south of France as Mr. Graham intends visiting Paris I have thought proper to enclose you by him the journals publish'd since the departure of Mr. Mazzai. The report respecting the treaty with the western indians hath been adopted, ex-

cept in the change of the place at which it will be held, being the mouth of the Big Miami or the falls of the Ohio, instead of post Vincent, and the article respecting the people of the Kaskaskias & neighbring villages, wh. altho' first adopted was afterwards repeald, from an apprehension it wod. create too great an expence.[2] The report proposing a change in the first paragraph of the 9th of the articles of confideration hath been before Congress in a committee of the whole for two days past.[3] The house are to take it up again on Monday in the same manner. It hath been fully discuss'd and in my opinion the reasons in favor of it are conclusive. The opposition however is respectable in point of numbers as well as talents, in one or two instances. From our State you will readily conjecture the sentiments of one, Hardy is for it, Grayson doubtful but I think rather in favor of it. Some gentn. have inveterate prejudices agnst. all attempts to encrease the powers of Congress, others see the necessity but fear the consequences. It is propos'd by the latter & former classes that Congress form & recommend a navigation act to the states, to continue in form for a limited time—what will or will not be done ultimately in this business is incertain. The report also upon the instructions hath been before Congress,[4] and is referr'd to the consideration of some day next week—It will most probably be adopted. I have it in contemplation after a few weeks to sit out for the Ohio to attend the treaty above mention'd. This will complete my tour thro' the western country. I hope you have recoverd your health. Short also is I hope in good health & Miss Patsy. I am sorry to request you to inform Mr. Mazzai that I have heard nothing from those he left in pursuit of the money he lost. I fear it hath not been found. I am with great respect and esteem yr. friend & servant, Jas. Monroe

P.S. Don diego de Gardoqui hath been presented to Congress. He produc'd a letter from the King with full powers to treat upon the subjects arising between us, yet his stile is Encargado de negotios. We have had some difficulty in regulating the etiquette respecting him, whether to consider him as a minister or Encargado de Negotios, or chargé des affrs., and to avoid giving offence we have us'd the terms us'd by his master. We hope it will have the desir'd effect. A letter from the King with full powers I shod. suppose constituted the minister be the term or stile what it may.

RC (DLC: Jefferson Papers).

[1] See Richard Henry Lee to Washington, May 3, note 3.

[2] See Monroe to Jefferson, April 12, note 11.

[3] For this failed effort to revive Monroe's March 18 committee report vesting Congress with the power to regulate trade, see ibid., note 4.

[4] That is, the instructions to the ministers negotiating commercial treaties, for which see ibid., note 5.

William Samuel Johnson to Samuel William Johnson

Dr. Billy New York July 16th. 1785 Saturdy. Ev'ng.

I have only time to Acknowledge the rec't of yr. favour of the 9th & to acquaint you that Betsey & myself are both very well, & are going tomorrow with Mr. Verplank & Miss Caty Van Dam to Hempsted on Long Island, & shall not probably return till Monday. I am happy to find yr. good Mamma is recover'd again, & thinks she judges right of the German Servants that they are not worth the price they ask for them. Tell me, if you have not already in some Letter I have not receiv'd, whether you are to have a Convention at Stratford, & when. I hope to be able to make you a short Visit the latter End of next Week, or begining of the week after, but do not wish to fall in with the Convention, if I can fairly avoid it. This however to yourself & mamma. Dr. Chandler is arriv'd here from England,[1] in very good health except the scrophulo's disorder he has been long troubled with, & brings the ill News, that the Society[2] have discharged all their Missionaries after Novr. next, unless they retire to Nova Scotia, or some other part of the British Dominions. I am with tenderest Love to all, yr. most affectionate Father, Wm. Saml. Johnson

RC (CtHi: Johnson Papers).

[1] That is, Thomas Bradbury Chandler. See David Jackson to George Bryan, July 13, note 5.

[2] That is, the Anglican Society for the Propagation of the Gospel.

William Churchill Houston to Samuel Dick

Dear Sir, Trenton 17 July 1785.

I have your Favour of the 13 inst.[1] but have not, since receipt of it, had an Opportunity to consult the Treasurer upon the Subject of that Part which relates to him. Hope he will be able to send you on some Cash by Mr. Cadwalader, who sets out Day after Tomorrow, I believe. The Treasury is, as usual low, but shall endeavour to add my best Solicitations to the Contents of your Letter, Ho[pe the] Pump of Aldgate may produce a small Supply.[2] I am extremely sorry that the State is not represented but this will not be the Case much longer than my Letter is reaching you. Mr. Cadwalader is a punctual Man, and has himself set the Time.[3]

It would give me much Pleasure if you loved to write as well as I do to read, for I am very anxious to hear how the requisition, the Regula-

tion of Trade and the Mint go on—The latter rather as a Matter of Curiosity for I think any other Coinage except that of Copper, of little Consequence in this Country, at present, otherwise than as a Beginning, and as it would probably save us some Trouble in Weighing by putting an End to Clipping.

I find we have a deep Interest at Stake in the affair of the Old Continental Currency, there being yet out standing of our Quota unredeemed and I doubt in great Part unprovided for 5,553,104 Dollars, according to the best Calculation from Documents here. Should the Ratio of it's value be placed high, that is low in Numbers, it would set heavy on our Shoulders—Even at 150 it would be about 37,000 Dollars.

Let me hear from you as often as possible and believe that I will be thankful; and inclose a Paper when you have it to spare.

I am, dear Sir, Your obedt. Servt. W C Houston

[*P.S.*] Should any Letters come upon the Table directed to me be so good as to enclose and frank them forward.

Tr (DLC: Burnett Collection). Copied by Edmund C. Burnett from "Original in possession of Mr. Charles Mecum of Salem, N.J."

[1] Not found.

[2] Apparently an allusion to an observation by Henry Fielding, in "An Essay on the Knowledge of the Characters of Men," on the generosity of one "who relieves his friend in distress by a draught on Aldgate pump," although Fielding also noted that a draught on Aldgate pump was traditionally understood as "a mercantile phrase for a bad note." Henry Fielding, *The Works of Henry Fielding*, 10 vols. (London: Smith, Elder & Co., 1882), 6:342.

[3] Lambert Cadwalader returned to his seat in Congress on July 25 and remained in attendance to October 14. *JCC*, 29:575, 828, 834, 836. His account with the state of New Jersey submitted October 22 claimed attendance "as a delegate from the 20 July to the 17 October 1785, being from the Day I left Home to the Day of my Return." McChesney Papers, NjHi.

Houston had attended Congress briefly June 21 to July 1 and would do so again October 12–17 (*JCC*, 28:471, 29:493, 566, 570, 572, 575), but no letters written by him while attending in New York have been found.

Elbridge Gerry to Timothy Pickering and Samuel Hodgdon

Dear sirs, New York 18th July [17]85

I am favoured with yours of the 13th & 16th & in the first Instance am for disputing the Right of Mr Willing to a new Tryal.[1] A Neglect of Counsel in a Case like this is no legal Cause for granting a Trial, & if this is the practice of Pennsylvania, I believe she stands alone. I think it however incumbent on Willing to shew that his Counsel was timely engaged, & should this appear to be the Fact & a Trial be granted,

You will fix the Day for a final Trial before the superior Court, for to a Reference which at the Commencement of this Suit, I repeatedly proposed, I shall not now agree.

Will You be so obliging as to send me the Letter, or a Copy of it, which inclosed the Certificates I received in Colo Hodgdons Letter of the 13th Inst. & be assured I am Gentn yours sincerely

E Gerry

RC (DNA: RG 93, #30062).

[1] See Gerry to Pickering & Hodgdon, July 11.

Samuel Holten to James Warren

Dear Sir, New York, 18th July 1785.

I have rec'd the letter you did me the honor to write the 28th ultimo.

I think the good people of Masstts. can't but be happy under the administration of their first Magistrate.

I have lately conversed with the President & Mr. Gerry, respecting your sons being appointed consul at Lisbon,[1] & perceive it would be agreeable to them, but how we shall bring it about, I am not able to say, for Congress at this time are much engaged in considering what is most proper to be done, respecting the embarrassments of our trade, & untill this business is determined, no appointments of consuls, I think, is likely to take place, but you may be assured of my attention to the same, as it would give me sensible pleasure, if the appointment would be made before I leave Congress.

I find by a Boston newspaper, that the court have authorized their delegates in Congress to consent to the proposed alteration in the confederation, respecting a valuation, which I fear will operate to the disadvantage of the eastern states: and as farther alterations may be proposed, I can't but declare my opinion against any change, at present, for more reasons than may be adviseable to mention at this time.

Your noticing my not being in the new delegation, I consider as a mark of respect, & I assure you, I feel myself embarrassed how to conduct with propriety for if I should leave Congress at this time, it might look as if I had taken some exceptions, yet, I shall not be content to tarry here, if I should have reason to believe that it would be more agreeable to my constituents that I should return immediately.

With great consideration & respect, I have the honor to be, your most obedient,

S. Holten

RC (PPIn).

[1] For Winslow Warren's interest in a consular appointment, see these *Letters*, 20:309–10, 420–21, 548.

David Jackson to George Bryan

Dear Sir New-York July 18th 1785

I have had several conversations with Doctr Johnston lately on the subject of the Wioming business & Connecticut claimants. He seems highly to disapprove of their late riotous measures, & supposes such proceedings will both disgrace & injure their present cause. I scarcely think that he has been consulted on the occasion by those people—as a citizen of Connecticut he has prediliction on their behalf, but wishes their claim to be adjusted without adopting violent & unjustifiable proceedings. It certainly would have been more for the peace & honor of the State to have adopted in the first instance with regard to those claimants, the same line of conduct as was done in the case of the Virginians which fell within the Pensylvania line on the adjustment of boundary between those two States. But the interest of those companies & persons who pretended a prior right to the lands in question from Pensylvania prevailed, hence all those mischiefs have arisen, party views have also had their effect in this business—in whatever way those evils have originated or from whatever cause, it now becomes the State to interpose & rectify former errors & also to restore peace & good order to that distracted district.

Dr Smith will present you with a New York paper—it contains the New-Hampshire navigation act & also an act of that State for empowering Congress to regulate the trade of the United States for the space of fifteen years.[1] We are told Massachusetts have passed similar acts.[2] One spirit on the subject of investing the United States in Congress assembled with the power of establishing commercial regulations which shall be general on the Union seems to pervade all the States to the northward of Virginia. Those to the south will not so readily acquesce in this measure—here a northren & a Southren interest seem to clash—the former are carrying States, the latter are not, tho they have great exports; they will therefore be very jealous of any regulations imposing restrictions on foreign vessels at entering the American Ports, lest a monopoly of the carrying business should be created in favor of the northren States; to reconcile those jaring interests & draw a line on which both the northren & southren interists can fully combine & unite is an object of great importance & one on which the deliberations of Congress have been frequently of late engaged—whether they will be happy enough to succeed in this business, time will determine. A power to reciprocate advantages or disadvantages is a principle essential in our commercial System. This power is now certainly wanting—the vessels & merchants of all foreign nations enter our ports & transact business on equal terms with our own citizens. The American vessels enter the ports of forreign nations, except in some few instances as, aliens & subject to great restrictions. The principles of reciprocity

ought always to govern between the manufacturer & purchaser, for it is as much the interest of the one to vend his manufactures, as it is of the other to purchase them. Mr. Pettit left this last week for Philada—his private affairs called him off from Congress for a few days—as for Mr Wilson, we need not expect him again before September & probably then he will make no more than a flying visit.

Most respectfully, I am your Obdt Servt, David Jackson

RC (PHi: Bryan Papers).

[1] These two New Hampshire acts, adopted June 23, 1785, are in PCC, item 74, fols. 25–32.

[2] See Massachusetts Delegates to James Bowdoin, August 23, note 5.

Lambert Cadwalader to Charles Stewart

Dr Sir Trenton 19 Aug. [i.e., July] 1785[1]

I have recd. your Favor[2] by Capt Dick and am obliged to you for the Sketch of Politicks you have given me. I am to call on Houston this Morning to converse with him on the same Subject. You know the Embarrassment to which Persons are liable on their first coming to the House. It is some Time before you find the Clue of Politicks, and as I am not fond of the Trouble of searching for it (in which too there is always some Risk of being deceived) I am very glad to receive Infortion in a Way that I can depend on. It has ever been my Determination if the N York Delegates should play us false, to give my Vote for Philada. It would be treating this State with an Indignity wh. I could not well bear, & would really place our Delegates in a Point of Light to the World which would expose them to Contempt & Derision.

I never was of Opinion Gr. Livingston would accept—he has acted just as I expected—he has had the Merit of recg. the Offer and the Opportunity of giving his Refusal.[3]

As to the Requisition I'm really apprehensive it will not take Place this Session of Congress. I'm very anxious to have our Trade put on a respectable Foot, otherwise I'm afraid all our fine Crops will not carry us thro' our Difficulties. As to the Ordinance for the Western Territory it seems to me the Indians will have much to say to it—they have I am told effectually done away the Force of it for the present by taking up the Hatchet against our Settlements.

I shall leave this Tomorrow or next Day at farthest for N York.

Yours &c LC

RC (NCooHi: Stewart Collection). Addressed: "Honble. Charles Stewart at the Union Farm."

[1] Cadwalader apparently wrote this letter on the 19th of July rather than of August. He concludes with the observation that he is about to set off for New York, and it is

known that he took his seat in Congress on July 25 and attended throughout August. See *JCC*, 29:572, 647; and William C. Houston to Samuel Dick, July 17, note 2. Moreover, his reference in paragraph two to Governor Livingston's "Refusal" concerns a decision reported to Congress on June 27, which Cadwalader would be more likely to be mentioning in mid-July than in mid-August.

[2] Not found.

[3] For the appointment of Gov. William Livingston as minister to the Netherlands and his decision to decline the post, see Stewart to Livingston, March 25; and Charles Thomson to Livingston, June 23, 1785.

Samuel Holten to John Hartwell

Sir.[1] New York 19th. July, 1785.

Two days since, I was favored with your address of the 7th instant, with the inclosure—& immediately attended to the same; but as Colo. Putnam wrote me upon the same subject, I must ask leave to refer you to my letter to him, of this date,[2] for a more particular answer respecting the business you wrote upon & you will be convinced of my endeavours to render you services.

I am, with consideration & respect, your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] John Hartwell, of Lincoln, Mass., was the brother of Jonas Hartwell, a merchant who had been imprisoned by the Spanish Inquisition, for which see Holten to William Carmichael, October 6, 1785, note 3.

[2] This letter has not been found, but for another on the same subject, the estate of Jonas Hartwell, recently deceased in Spain, see Holten to Enoch Putnam, October 3, 1785. An October 15, 1785, letter to Holten from John Hartwell, expressing "the deepest obligations to Congress for favors received in behalf of our Brother," is at PWacD (Sol Feinstone Collection, DLC microfilm, no. 525).

William Samuel Johnson to John Lawrence

Dr. Sr., New York July 19th. 1785

I beg leave to state to you a fact, which, how er, I do not wish you to communicate to everybody. I must quit N York in a few Days for want of Money, and what is still worse, I shall not, I find, be able to leave it free of Debt. I shall therefore retire under the ostensible Idea of Visiting my family for a few days, & a speedy return, but when I shall Actually return, must depend upon you. His Excelly. the Governor has acquainted us, that the Genll. Assembly in their late Session have been so obliging as to "Grant each of their Delegates at Congress two hundred pounds, & Ordered the Treasurer to pay it out of the Civil List. That he had before he left Hartford directed the Secretary to transmit a Copy of the Resolve to the Treasurer, & desired him to Apply the

first Money that sho'd be brot in to that use." I shall probably be at Stratford in the course of next week, where I shall hope to receive a remittance from you, which may enable me to return to my Duty here. Or if it cannot be done immediately, I beg the favour of a Line from you acquainting me when it may be expected, that I may arrange my affairs accordingly, & am with the greatest respect & Esteem, Dr. Sr., Your most obedient, humble Servant, Wm. Saml. Johnson[1]

RC (CtHi: Hoadley Collection).

[1] At the foot of this letter, Johnson's colleague Joseph P. Cooke also appended the following letter to Lawrence, the treasurer of Connecticut.

"Sir, I should at this time have been in the same Predicament with Docter Johnson had I not lately procured a little Money from my Freinds at home, which will enable me to tarry a few Weeks longer. But as that will soon be spent I could wish to be informed when I may expect any Remittance of the Sum lately granted by the Assembly, after the Doctor shall have been supplied: for unless he be enabled to return in a short time it will be of little Consequence for me to remain here."

Richard Henry Lee to John Jay

Sir, Presidents House 19th July 1785

The letter from his most Christian Majesty mentioned in yours of the 18th instant is to be received in the same manner as the late letter from his Majesty was—And I have the honor now to inform you that I shall be ready to receive Mr. De Marbois here tomorrow forenoon at half an hour after ten oClock.[1]

I am, with much esteem and regard Sir your most obedient and very humble Servant, Richard Henry Lee

RC (DNA: PCC, item 78).

[1] Jay had enclosed a July 18 letter to him from the French chargé d'affaires, the marquis de Barbé-Marbois, asking instructions on "when and in what Manner" he was to deliver a May 10 letter from Louis XVI to Congress acknowledging Congress' letter to him of December 11, 1784. And Jay had continued "I presume that this will be received as the last Letter [of March 27, announcing the birth of a prince] was, and therefore request the Favor of your Excellency to inform when it will be most convenient for you to receive Mr. Marbois for that purpose." See PCC, item 120, fols. 372–76.

For the original letter to the King, see *JCC*, 27:682–83; and Lee's letters to Benjamin Franklin and to the marquis de Lafayette of December 11, 1784. For Congress' response to Louis XVI's March 27 letter, see Charles Thomson to Jay, June 14, 1785.

Charles Thomson to John Dickinson

Dear Sir, New York July 19. 1785

I have received your letters of the 12 and 16, but am greatly at a loss how to answer them. It must be allowed that the federal government

is weak and inefficient. But the question is to what cause is this owing? To an imperfection in the Confederation or to a defect in the constitutions of the several States? to a want of energy in the executives or a disinclination in the people to submit to such regulations, restrictions & government as are necessary for the general defence, tranquility & glory of the Confederacy? Will the vesting greater power in the federal council conquer the aversion which the people too generally seem to have to a strict government? Will it reconcile them to a more punctual payment of taxes? Or rather, taught as too many have been of late to think & speak disrespectfully of Congress, will not an Attempt to exercise power, should it be granted, render the federal council odious, & in case of a failure, contemptible?

Notwithstanding all this I am clearly convinced that it will be impossible to manage the general interests of the United States and to give dignity, respect, security & tranquility to the Confederacy, unless more power is entrusted with the national council. Great caution however should be used in conferring this power. I am not for unnecessarily overturning foundations already laid; nor for attempting to give at once all that may be necessary. For this reason the power "of punishing the officers of the confederated republic in some prescribed manner of proceeding" may be deferred for some time. The granting a power "of adjusting the quotas of all charges & expences by an equitable & certain Mode" would in my Opinion be useless, until the states shall have done their part & furnished the proper data, which will lead to that equitable & certain Mode.

There are three rules for adjusting the quotas of the several states; One by the value of property, another by the number of inhabitants, & a third by a compound ratio of the two former with a due attention to the quantity of money in circulation. The Confederation has fixed on the first. Whether this would be a just and equitable mode cannot be determined on as the States though repeatedly called on seem not to be disposed to take any measures for ascertaining the value of property. The difficulty I know is urged against entering on the task. But as some rule is necessary to guide the judgment in adjusting the quotas it ought to have been attempted. The Confederation directs that the number of land forces, which each state should be called on to furnish, be in proportion to the number of white inhabitants in such state, and yet though it has been recommended to the states to make returns of the inhabitants, few have complied. If the states will not furnish either returns of property or of inhabitants, how would it be possible for congress to exercise the power of adjusting the quotas? I wish therefore that the states would in the first instance turn their attention to this Matter and adopt some regular plan, dividing their territory into districts, for obtaining once every five years as exact an Account as possible of the quantity of land & number of inhabitants in

each district, the state of agriculture, the staples for commerce, the distance from Market, the means of communication with that Market, the number of towns or villages, the price of commodities foreign and domestic &c. This being done & regular communications thereof made to the federal Council, it may then be proper, if the mode pointed out by the Confederation be found inadequate, to empower Congress from the documents and information given to adjust the quotas of the several states according to their best judgment.

A due observance of the law of nations is undoubtedly necessary; but whether it will be proper to entrust Congress with the power of enacting laws for punishing the infractions of it is a matter of doubt; nor do I see how it could be done without entrenching too much on the sovereignty of the several individual states. Before this is moved I would wish to see a law drawn up by Congress and sent to the several states for their adoption, providing for the expeditious, examplary and adequate punishment of all violators of the law of Nations. This would give dignity & respect to the states as well as to the Union. The end would be answered and the sovereignty of each state preserved. When Congress come to have a fixed & permanent place of residence it will no doubt be proper for them to have an exclusive jurisdiction over a small district by which they may be enabled to provide for the security of their own immunities as well as those of foreign Ministers in the place of their residence. As to the power "of imposing and collecting certain defined internal duties to be applied only as a sinking fund," considering the present temper and disposition of the people it would be in vain to propose it. It would only tend to awaken jealousy & might enable designing men to divert the people from what a concurrence of circumstances seems to be preparing them to grant; and which if granted would in my opinion answer our present purpose; give weight to the federal council and dignity to the nation, and would relieve us from the embarrassed & humiliating state under which we now labour: I mean the power of regulating commerce and of imposing duties at least on importations for the purpose of raising a revenue. The conduct of our late enemy since the peace has done a great deal towards preparing the minds of the people to grant this. The urgent calls of the public creditors and the difficulty of levying taxes to satisfy those just and reasonable call concur in facilitating it. The opportunity therefore is favourable & ought to be improved. There is a tide in the opinions as well as affairs of a people which if carefully watched and improved facilitate great events. If to this were added a power of raising a revenue from the post office, public credit would soon be restored and the nation placed in a respectable light. But whether it would be prudent even to mention this latter at present is doubtful. I am rather inclined to think it would not. I believe it will be best to follow the maxim of DeWitt[1] & do one thing at a time. I

therefore wish you to turn your whole attention to the sole object of vesting Congress with the power of regulating trade & raising a revenue by duties on importations. This once vested and exercised and the benefits arising from it being sensibly felt, the minds of the people will be better disposed for granting other necessary powers and the federal government will without any convulsion be gradually improved as circumstances require, until it attain some degree of perfection.

I am, Dear Sir, Your affectionate humble Servt.

Cha Thomson

RC (PPL: Logan-Dickinson Collection).

[1] That is, Jan de Witt (1625–72), grand pensionary of Holland, 1653–70, opponent of the rise of the House of Orange, and a principal architect of Dutch naval supremacy in the 1650s and 1660s.

Charles Thomson to Joseph Harper

Sir Office of Secretary of Congress, July 19th. 1785

I have received your letter of the 12th and upon examination find that the report upon Capt. Harpers Memorial was taken up and debated at sundry times but no determination being come to, on the 31st October 1778 it was ordered "That the memorial of Capt. Harper and the papers relative thereto be delivered to Mr. R H Lee."[1] They were accordingly delivered to him.

I have spoken to Mr. Lee, who informs me that as far as he can recollect he had obtained the above order at the request of Capt. Harper, and upon receiving the papers deliverd them to him.

I am, Sir, &c &c CT

LB (DNA: PCC, item 18A).

[1] Harper's July 12 letter, inquiring about papers relating to the loss of the schooner *Liberty* (owned by "John Harper & Co.") seized in Currituck Sound in 1778, is in PCC, item 78, 12:415–18. For the committee report on Capt. John Harper's original memorial on this case and the congressional order quoted here by Thomson, see *JCC*, 12: 1087–90.

Richard Henry Lee to James Duane

Sir, New York July 20th. 1785

I have the honor to enclose an Act of Congress that has been prompted by the daily interruption given to their discussions by the

almost unceasing noise of passing Carriages.[1] Your long acquaintance with public business and your wish to see it discharged with propriety and dispatch, will secure your approbation of the proposed remedy if it shall be found to consist with the police of the City.

I have the Honor to be, with sentiments of esteem and regard, Sir, Your most Obedient and very humble Servant,

Richard Henry Lee. P.

RC (NHi: Duane Papers).

[1] President Lee was addressing Duane in his capacity as mayor of the city of New York. For the enclosed July 20 congressional order directing Lee to request the placing of chains across the streets to lessen street noise while Congress was in session, see *JCC*, 29:561. For Duane's July 21 response and act of council granting permission for drawing chains "across the Streets from the North East, South East & South West corners of City Hall, to prevent the noise of passing Carriages, during their daily Session," see PCC, item 123, fol. 23; and *JCC*, 29:571n.

Maryland Delegates to Daniel of St. Thomas Jenifer

Dear Sir New-York July 20th. 1785

Having made some Enquiry about the Value of Continental Money in this Place, We are inform'd that a Gentleman here has 90,000 Dollars, which He would sell at 150 for 1, & We learn much more may be had; if You should think it to the Advantage of our State to purchase at that Price, We will negotiate the Business for You; if that is too high, be kind enough to let Us know what You will give, & will endeavor to procure at the Price You shall fix.[1]

We should in our private Capacity thank You to be informed how much Money is now in our Treasury, the Property of the United States.

Congress will not probably adjourn this Year. They are at present upon the Requisition for Supplies, which We flatter Ourselves will pass in a few Days.

We are, with every Sentiment of Respect, Yr. most obedient & very humble servts., James McHenry

Wm. Hindman

RC (PHi: Gratz Collection). Written by Hindman and signed by Hindman and McHenry. Addressed: "The Honorable Daniel of St. Thomas Jenifer Esqr, Intendant of Maryland, Annapolis."

[1] For the delegates' continued effort to buy Continental currency, see Maryland Delegates to Jenifer, October 5, 1785.

Charles Thomson to John Jay

Dear Sir, 20 July 1785

I enclose you two letters from Mr Dumas,[1] but the design of this is to inform you that there has happened a mistake in the delivery of the letter from his Most Christian Majesty. Your translation is of a letter dated 10 May 1785. But the original letter delivered to the President is a duplicate of the letter of 27 March informing Congress of the birth of the duke of Normandy.[2]

I am, Dear Sir, Yours, Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] Apparently Charles W. F. Dumas' letters to Congress of February 22 (No. 54) and May 1 (No. 55), which are not in PCC but according to Thomson's "Despatch Books" were received on July 6 and 20. See PCC, item 185, fols. 130, 132. Dumas' drafts of the letters are in the Dumas Papers, Algemeen Ryksarchief, The Hague (DLC microfilm, reel 2, fols. 698–701, 709–10).

[2] For these letters from Louis XVI to Congress, see PCC Miscellaneous Papers, M332, reel 5, fols. 355–58, 379–80; and *JCC*, 28:457–58. See also Richard Henry Lee to Jay, July 19, note.

David Ramsay to Benjamin Rush

Sir, New-York July 21st 1785

In answer to your favor just received I inform you that our debts in Carolina have no other fund than an annual tax bill. This I think will be sufficient, though every thing of the kind is subject to change. My proposition about borrowing money was to join you in any security for any sum at the rate of five per cent per month till paid. If money can be got at that rate it is an exceeding good speculation for the one interest covers the other & the capital is eight folded. I rejoice in the prosperity of your college in Carlisle. I fear it will not be in my power to call at Philada as I propose to sail when Tinker returns. He is not yet arrived but may be looked for every day. I supposed that money could be got in your city on high interest. If it cannot the scheme must be given up. I woud willingly give seven & half per cent per month for money to purchase Carolina Indents if I could get it for that sum. I am sure it would be a good speculation even at that high interest. If you can get the money, I will take on myself all the trouble & will share with you all the profits & all the expences. If this cannot be done I will try to get your debts in as you direct, but you ask one half less than the current discount.

Present my compliments to Mrs. Rush. I am your humble servt

David Ramsay[1]

RC (PPL: Rush Manuscripts).

[1] Shortly before sailing for Charleston, Ramsay also wrote two letters to Thomas Harwood, the Continental tax receiver for Maryland, regarding treasury bills recently sent to him. On July 29 Ramsay requested prompt settlement of the bills to oblige fellow South Carolinians "whose business I have been negotiating at the treasury." Charles Roberts Autograph Collection, PHC. And on August 6 he informed Harwood that he had "not yet received any answer to my former letters enclosing bills drawn by the board of Treasury in my favor," and also enclosed two more bills, hoping for settlement "before my departure for Charleston which will be on the 10th instant," but authorizing his colleague John Kean to issue receipts "for the whole money paid on the former bills & also the present" during his absence. Emmet Collection, no. 2926, NN.

Elbridge Gerry to Francis Dana

My dear Sir, N York. Fryday 22d July 1785

I have the pleasure to inclose You a Copy of sundry Resolves of Congress, which having passed this Morning,[1] cannot be attested till Monday on Account of the reading of the Journals, which by the Adjournment is deferred 'till that Time. The Board of Treasury having made no Report respecting your private Secretary, & there being no Acct. of the Expence, amongst the papers inclosed in your Letter to me of February or March last, or if there was an Account, it being left in the Hands of our Friend Mr King & not to be found, I tho't it best to move the last Resolve, which will enable the Board of Treasury to compleat the Adjustmt of your Account. There was a warm opposition, made by your Georgia Friend[2] to part of the Report but it passed unanimously notwithstanding; upon a Representation of Facts, of the able Manner in which You had discharged your Trust, of the Losses mentioned in your Letter, & of the extraordinary Manner in which you was recalled. Young Mr Adams is here, and much Noticed:[3] & by a packet in 35 Days from London We learn that Mr Adams arrived the latter End of May in London & had his Audience a few Days afterwards, in which he received from the King *every Mark of Attention*. This must have been a high scene of Hypocrisy, the practice of which is so habitual with Kings, that they cannot *act themselves* without it.

Adeiu my Friend.[4] Give my Complimts to Mrs Dana & inform her that as I passed thro Cambridge I called on her with Intention to take Tea, And talk half an Hour on one of her favorite Subjects, but she is so much attached to the beau Monde, that there is no finding her at Home. Adeiu, adeiu—yours sincerely, E Gerry[5]

RC (MHi: Dana Collection).

[1] For Congress' adoption of the board of treasury's recommendations on the settlement of Dana's accounts concerning his mission to Russia, see *JCC*, 29:569–70. For his undated petition to Congress and accounts supporting this claim, see *JCC*, 28:416n; and PCC, item 41, 2:541–47.

[2] Abraham Baldwin, John Habersham, and William Houstoun were the Georgia delegates attending at this time.

[3] That is, John Quincy Adams, Dana's secretary during his mission to Russia.

[4] From this point in the manuscript Dana wrote "Private" in the margin and extended a line to the end of the letter.

[5] A photostat of Dana's July 31 response to this letter is in the Gerry Collection, NHi.

Charles Thomson to John Jay

Sir Office of Secretary of Congress, July 22, 1785.

I have the honor to send enclosed a Commission empowering you to negotiate, treat and sign with Don Diego de Gardoqui Encargado de Negocios of his Catholic Majesty vested with similar powers whatever Articles, Compacts and Conventions may be necessary for fixing the boundaries between the Territories of the said United States and those of his Catholic Majesty and for promoting the general harmony and Mutual interest of the two Nations; And for your government in the execution of this Commission I enclose you Instructions passed by the United States in Congress assembled the 20th instant.[1]

With great respect, I have the Honor to be &c &c C.T.

LB (DNA: PCC, item 18A). *Diplomatic Correspondence, 1783–89*, 3:157.

[1] See *JCC*, 29:561–64, 567–69.

Richard Henry Lee to George Washington

Dear Sir, New York July the 23d 1785

I lately had the honor of forwarding a packet for you by Post that came enclosed to me from France, by the author of a Dramatic peace on the former situation of Capt. Asgil.[1] The subject is not a bad one, but the Author of this work seems not to have made the most of it.

On the 1st of May Mr. Du Mas writes us,[2] that the parties still continue to negotiate the peace *in a very threatening manner*.[3] In truth, this whole affair is involved in much mystery, and perhaps the truth is only known in the interior cabinets of the greatest powers. The Marquiss de la Fayette, in a late letter seems to think that the collected combustibles may be put in flame by various accidents. The Emperor he says is restless, the Empress of Russia ambitious, the King of Prussia old, with other combining causes renders the peace of Europe precarious. The Marquiss proposes to visit this summer the Manœuvering Troops of Austria & Prussia in the North of Europe.[4] We have lately receivd a letter from his most Chn. Majesty, in answer to one from

Congress to him recommending the Marquiss, in which his Majesty is pleased to express himself in such a manner of the Marquiss as promises well for the future promotion of that Nobleman.[5] Mr. Adams writes that he has been received in due form at the Court of London, has had his audience, and deliverd his Credentials to that Sovereign.[6] No treaty when he wrote had been commenced, but we expect soon to hear of the commencement & progress of that business. Mr. Jay is commissioned by Congress to open negotiations with Mr. Gardoque the Spanish Plenepo here, concerning the navigation of Mississippi, Boundary, Commerce &c.[7] The Spanish Minister appears to be well disposed towards us. It gives me singular pleasure to hear that the plan for opening the navigation of Potomac goes on successfully, as it promises such capital benefits to our country. It is sometime since I wrote to Colo. Fitzgerald desiring that he would put me down for a share.[8]

Is it possible that a plan can be formed for issuing a large sum of paper money by the next Assembly? I do verily believe that the greatest foes we have in the world could not devise a more effectual plan for ruining Virginia. I should suppose that every friend to his country, every honest and sober Man would join heartily to reprobate so nefarious a plan of speculation.

Be pleased Sir to present my best respects to your Lady and be assured that I am, with sentiments of the greatest respect, esteem, & regard, dear Sir, Your most affectionate and obedient Servant,

Richard Henry Lee.

P.S. Altho I began this letter on the 23d my ill state of health and much business have prevented me from finishing it until this day the 31st of July. I thank God that my health is now much better than it has been. R.H.L.

RC (DLC: Washington Papers).

[1] For the March 4 letter from Jean Lebarbier (the younger) enclosing two copies of his play about the Huddy-Asgill affair in 1782, see Washington, *Papers* (Abbot), Confederation Series, 2:406–7.

[2] For Charles W. F. Dumas' May 1 letter, read in Congress on July 20, see Charles Thomson to John Jay, July 20, note 1.

[3] Lee completed the remainder of this letter on July 31, for which see his postscript. Although he did not break the paragraph, it is obvious from the change in pen and ink where he resumed writing.

[4] According to the endorsement, the marquis de Lafayette's May 11 letter was read in Congress on July 20. See PCC, item 156, fols. 418–20; and *Diplomatic Correspondence, 1783–1789,* 1:310–11.

[5] For Louis XVI's May 10 letter, which was read July 19, see PCC, item 120:373–74, item 185, fol. 132.

[6] John Adams' June 1 letter was read July 25. See PCC, item 84, 5:465–66, item 185, fol. 133; and *Diplomatic Correspondence, 1783–1789,* 2:367.

[7] For John Jay's July 20 instructions, see Charles Thomson to Jay, July 22.

[8] See Lee to John Fitzgerald, May 4.

New Hampshire Delegates to John Langdon

Sir, New York. July 24th. 1785

We are hond. with your Excellys. letter of the 11h instt. in answer to our's of the 27th ulto. touching the appointment of Mr. Edwd. Dowse as surveyor of lands in the western territory. The several gentlemen who have accepted that trust are summon'd to meet at fort Pit the first of August—upon which, and our being confirm'd in opinion that Mr. Dowse is every way adequate to fill that place, & is now here, that was your Excelly. to have mett the honble. Council at an earlier period & nominated him, it would have been tantamount to our wishes. We do not ask this nomination on the presumption that no Gentleman of equal abilities can be found in New Hampshire but are fearful that those who are suitable will decline going so far abroad.[1]

As Mr Dowse is determined to wait till you have mett your Honble. Council we think it adviseable to inform you of the same, that should he be agreed to, you may know he is in readiness to proceed on the business of his appointment.

We have the Honr. to be with Sentiments of respect and Esteem, Your Excellencys Most Obedient Huml. Servants,

Abiel Foster

Pierse Long

RC (NN: Emmet Collection, no. 475). Written by Foster and signed by Foster and Long. Addressed: "Excelly. Jno. Langdon Esqr."

[1] For the appointment of Nathaniel Adams and Ebenezer Sullivan, successively, as Continental surveyor for New Hampshire, and their decisions to decline the appointment, see Charles Thomson to the Continental Surveyors, May 28, note 2; New Hampshire Delegates to Langdon, August 14; and *JCC*, 28:398, 469n, 29:623. Dowse was finally elected to the post on August 24 when Congress learned of Sullivan's "having declined." *JCC*, 29:654, 679n.

John Vining to Nicholas Van Dyke

Dear Sir, New-York July 24 1785.

Agreeable to the request of the Delegates of Massachusetts, I have the honor to enclose to you a late act of that state relative to commerce.[1] Your Excellency will be kind enough to lay it before the Assembly at their next session, as it is certainly a matter of the utmost Importance, & demands their most serious Consideration. I have nothing more to communicate, than I did in my last touching the requisition, as it is precisely in the same situation in which it then was.

With most respectful Compliments to Mrs. Vandyke & Family I have the Honor to be, your Excellency's very Humble servant,

John Vining

RC (PHi: Gratz Collection).

[1] See Massachusetts Delegates to James Bowdoin, August 23, note 5.

William Grayson to George Washington

Dear Sir New York July 25th. 1785.

The inclosed letters were handed to me the other day by young Mr. Adams, son of Mr. John Adams, who has arrived in the last packett, and no private opportunity offering, I do myself the honor of transmitting them by Post.

Congress are informed by a letter from Mr. Adams, that he has been introduced to the King of G. B. in due form, and received as a public Minister from the U. S. of America.[1]

They have also recieved from the Commrs. for forming commercial treaties projects of two treaties; the one with the King of Prussia, the other with the Grand Duke of Tuscany; the former it is expected is signed before this by the American Ministers.

Don Diego de Gardoqui (who has plenipotentiary powers) has been recieved and Congress have passed a commission to Mr. Jay Secretary for foreign affairs to negotiate with them.[2]

Congress have lately paid great attention to the proposed alteration of the 9th Article of the Confederation, and it has been debated several times. I did myself the honor of inclosing this paper some time ago; there seems to be three opinions; some are for the alteration as reported provided Eleven & not nine States have the exercise of the powers, others are for forming a navigation act, & submitting the same to the States; a third opinion is against any change whatever. I expect after the subject has been thoroughly investigated, it will by consent be put off till the members have had an opportunity of consulting the legislatures.[3]

The requisition for the current year is nearly finished; By this the states are called upon to pay three Millions of dollars, i.e. one Million in specie, and two Millions in Interest on liquidated certificates—The whole containing a provision as well for the purposes of Government as for the Interest on the foreign & domestic debt.[4]

I beg leave to inclose propositions respecting the coinage of Gold, Silver & Copper, which are at present before Congress.[5]

I have the honor to be, with the highest respect, Yr. Affect. fd. & Most Obed serv. Willm. Grayson.

RC (DLC: Washington Papers).

[1] For John Adams' letter of June 1, see Richard Henry Lee to Washington, July 23, note 5.

[2] See Charles Thomson to John Jay, July 22.

[3] See James Monroe to Thomas Jefferson, April 12, note 4, and June 16, note 3.

[4] The grand committee report on requisitions, which had been read on July 11, had been entered on the journals on the 18th and printed as a broadside. See *JCC*, 29:522n, 542–47, 925.

[5] Undoubtedly the May 13 grand committee report on coinage, 100 copies of which had been printed. On July 6 Congress had adopted three provisions of the report establishing the dollar as the principal money unit with the smallest copper coin valued at 200 to the dollar and all other coins to increase in a decimal ratio. See *JCC*, 28:354–58, 29:499–500, 922. For the background of this issue and subsequent petitions from Capt. Frederick H. Walden and others to mint copper coinage, see Morris, *Papers* (Ferguson), 7:737–43; Samuel Holten to Nathaniel Gorham, August 8, note 2; and Elbridge Gerry to James Bowdoin, September 5. The report on coinage languished thereafter until April 12, 1786. *JCC*, 30:162–82.

Samuel Holten to Luke Webster

Dear Webster, New York 25th July, 1785

I recd. yours of the 24th of June soon after my last,[1] and another from you, of the 18th instant inclosing one to your wife,[2] & one addressed to your father, both of which I have forwarded; and the inclosed from your wife came to hand two days since in a letter from Mrs. Holten, by which I understand they were well the 16th.

It gives me concern to hear you was so much unwell the 19th: & in answer to your kind inquiry About my health it is better.

I observe that writing to your father & to your wife, & to myself, must take up considerable time, therefore, to make it as easy to you as possible, you may put your letters addressed to them, under cover to me without writing, when it is more convenient.

It is very uncertain when I shall return home, but I will endeavor to notify you of it, some time before. Yours, &c,

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] For Holten's "last," see Holten to Webster, February 19, 1785, note 2.

[2] That is, Holten's daughter Sarah.

Rufus King to Daniel Kilham

My dear Sir New York 25th. July 1785.

I have yours of the ninth instant for which accept my thanks, little is to be immediately expected remedial of the embarrassments which almost the whole of the american commerce is exposed to. The Gentlemen in trade almost universally through all the States are uneasy and complaining. It has been the fashion to suppose all greivances originated with the British nation; but in this instance much of the pressing difficulty of which constant complaint is making is to be carried to

the account of the excessive importations made on credit, and the mismanagement of the importers in the Sale of their merchandize.

Congress it is said must have additional powers or commerce will be totally ruined; do those who make this observation, know the difficulties of effecting what it only costs them a breath to express? Have they considered the mode of effecting their wishes? Do they know that one third of the States are individually interested in opposing any commercial treaty, or regulation whatever?

Have they heard the Southern States remark, that their countries yielded a plentiful and valueable export in their Indigo, Rice, Wheat, & Tobacco, that the freer the Trade the more valueable to the states possessing these Staples—that the more numerous the nations are who come to their countries to buy their Produce, the greater the competition among the purchasers, and consequently the higher the price at which the produce will sell; whilst the quantity of Goods in different hands suitable for their market may be purchased at a lower price than if the laws of trade restricted any power or nation in their intercourse.

These are some of the Difficulties which will authorise an opinion that little can at present be expected from Congress; the eastern states will consent to vest powers in Congress competent to a regulation of foreign commerce, but the Southern States will never consent to regulations which will effect what the northern States desire.

I wish I could meet you, we would converse more freely than we can write. I am convinced of your friendship, and desire you to beleive mine pure and inviolable. The last clause in your Letter gave me uneasiness, could I consistently leave congress at this Time I would see you, but at present it is out of my power. Write me frequently—I shall hear from you with peculiar pleasure.

Adieu your's affectionately R King

Supplement

Mr Adams was received with the usual Ceremonies & Honors at the British court on the first of June. We have dispatches from him informing only of his reception &c &c his private interview with the King must have been curious.[1] What he will negotiate time must manifest. Young Mr. Adams[2] arrived here a few days since having left his father about the middle of May on his Departure for London—as late as the last of May the Drought had continued to be most severe, the Corn will be short in Europe, the Herds are greatly diminished for want of forage, and the apprehension is great as common in populous Countries that the human race will suffer from famine.

This remark may be drawn from this information, that if the United States had energy sufficient to prevent the supply of provisions to the W. Indies, and Wheat to Europe, we should be able to negotiate commercial Treaties on more advantageous terms than at present.

RC (NNC: King Collection).

[1] John Adams' letters of June 1 and 2 describing his reception at the British court are in PCC, item 84, 5:465–84; and *Diplomatic Correspondence, 1783–89*, 2:367–71.

[2] John Quincy Adams.

Charles Thomson to Francis Dana

Sir, Office of Secretary of Congress, July 25th. 1785

In answer to your memorial which was presented to Congress on the 2d of May last, I have the honor to enclose sundry resolutions passed by the United States in Congress assembled the 22d of this month.[1]

With great respect I have the honor to be, Sir, Your most obet &c.

C.T.

LB (DNA: PCC, item 18A).

[1] See *JCC*, 28:416n, 29:569–70; and Elbridge Gerry to Dana, July 22.

James Monroe to James Madison

Dear Sir New York July 26. 1785.

Since my last a report proposing a change in the first paragraph of the 9th of the articles of confideration hath been taken up & acted on two days in a committee of the whole.[1] It proposes to invest Congress with power to regulate trade externally & internally. Those in favor of it were of opinion that the exercise of this power in the hands of each State, wod. be less advantageous to its particular interests, than in those of the union, because if in the regulation of trade it was sought 1. to encourage domestic industry in any line, by a tax upon foreign, which however remote at present may hereafter be the case. 2. if to obtain reciprocity in its commercial intercourse with foreign nations, either with or without treaties. 3. if to establish a commercial interest within, in contradistinction to a foreign one, and thereby keep its councils independent of foreign influence. 4. or to raise a naval strength for the publick Safety, all these ends might be obtain'd more effectually by the exercise of the power in the hands of the union than of each State; for unless they act in concert in every instance instead of counteracting the regulations of other powers, they will become instrumental in their hands to impede & defeat those of each other: that there was but one alternative either to act together or against each other, that the latter plan establish'd deep-rooted jealousies & enmities between them, at the same time that it wod. be unsuccessfull; greater under its operation for any length of time than they wod. have against other powers, since being more convenient & better able to

frustrate each others measures, their restrictions must be more severe and pointed agnst each other than agnst other powers. That such a course tended to throw them apart & weaken the present rights of the confideracy. That their interests were nearly similar being all exporting & importing States—that it was of little consequence whether they exported the same or different materials, since the restrictions which tended to restrain exportation, wod. injure the whole, & they were all equally interested in getting their admission upon the best terms into the ports of foreign powers. That they imported nearly the same materials & of course had the same interest in that line.[2] On the other side it was argued 1. that it was dangerous to concentrate power since it might be turn'd to mischievous purposes; that independent of the immediate danger of intoxication in those entrusted with it, & their attempts on the govrnment, it put us more in the power of other Nations. 2. that the interests of the different parts of the Union were different from each other, & that the regulations which suited the one would not the other part. That 8 States were of a particular interest whose business it wod. be to combine to shackle & fetter the others. 3. that all attacks upon the confideration were dangerous & calculated even if they did not succeed to weaken it. These I think were the principal arguments on either side, tho' they were carried out into great extent. I think Colo. Grayson inform'd me sometime since he had transmitted to you the report otherwise I shod. now do it.[3] I wish very much your sentiments on the subject.

By the packet we are inform'd that Mr. Adams had arriv'd in London, been presented to the King & well receiv'd. The ceremonial had only taken place when his dispatches were forwarded, so that he had not proceeded to business. Mr. Gardoqui is here; Congress have authoriz'd the Secretary of foreign affrs. to treat with him upon the subject of his mission. I am your friend & servant, Jas. Monroe

P.S. I inclose you a treatise of Mr. Mazzai in favor of the port bill in Italian.[4] I promis'd him to attempt a translation of it but really I distrust my knowledge of the language too much to attempt it provided I had leasure, which is not the case; he undertook it upon the desire of Colo. Innes for whom principally the translation is intended. By committing it to you I trust I promote his views more than I shall otherwise have it in my power to do.

RC (DLC: Madison Papers).

[1] See Monroe to Thomas Jefferson, April 12, note 4.

[2] At this point in the manuscript Monroe inserted an asterisk to which he keyed the following observation: "That if there were different interests in every instance the restriction of every measure to 11 States the number propos'd, with the revenue to each State wod. form a sufficient security."

[3] See William Grayson to Madison, May 1, note 8.

[4] Not found, but see Madison, *Papers* (Hutchinson), 8:294.

David Jackson to George Bryan

Dear Sir New York July 27th 1785

My last to you was better than a week ago, since which I have not been honored with any of your favors. The business of finishing the requisition (which is by far too late) for the present year has occupied the attention of Congress every day for this week past.[1] It labors hard in the passing from the doctrine of facilities or discounts of interest with the domestic creditors being allowed. The amount proposed to be raised is 3 millions of dollars; the interest both of the foreign & domestic debt down to the end of 1784 is intended to be paid—one third of the sum to be paid in coin, which will cover the interest of the forreign debt & two thirds to be paid in facilities or certificates to be given for the interest due on Loan office & other liquidated debts of the United States. These facilities to be receivable in taxes throughout the Union in the proportion of two thirds, to one of coin, upon the particular States quota under the requisition.[2] This plan poor & inefficient as it is, meets with much obstruction from those particular States who have but a very small proportion of the domestic debt due to their citizens. They suppose it will operate as a hard money tax on them altogether, while other States will have the benefit of those facilities, never adverting to the ruinous situation the poor public creditor is thrown into by receiving his interest in this kind of paper instead of coin which having no basis of redemption but dry taxation must in the course of a year depreciate probably one half or more. Pensylvania has been rather considered as anti fœderal on acct of her funding Bill. An idea prevails among many of the members of Congress that she will not nor cannot comply with the present requisition consistently with the principles she adopted in her present plan of finnance. I have told them that to suppose Pensylvania will not comply, is rather taking a matter for granted without sufficient foundation wheron to ground the supposition—that as she has ever discovered a promptitude in compliance equal if not superior to any State in the Union heretofore whenever a recommendation of Congress was laid before her, she ought not to be suspected of delinquency on this occasion untill the Trial is made—that when her legislature has the requisition laid before them, if they find their present system too narrow to comprehend it fully, they can so enlarge & modify it as to comprize & substantially comply with what is desired of them. I find it is not one of the least of Pensylvanias faults among some gentlemen, that she has dared to make provision for her own citizens only.

The public papers will have announced to you the arrival of Mr Adams at the Court of London & his being presented to his Majesty. He is apprehensive that considerable difficulties will attend his mission at that court & that it will be objected by the Brittish ministers

that under the Confederation he has not sufficient powers to form a commercial treaty which shall be obligatory on the Union. A private Letter from the Marquis L Fyatte mentions that the Court of France is disposed to drop the demand of Lonchamps being satisfied with what has been done here in his case.[3] The Charge des affairs however has said nothing yet official on the subject. Dr Franklin may soon be expected over. In a conversation I had yesterday with a gentleman here who is a friend of Mr R. Morris's, he did not entertain a doubt but that the great man would be in the Pensylvania legislature next year—what are the sentiments of people with you on this head? I think a seat in the assembly would be much more the object of that gentlemans wishes, than the Presidential Chair.[4] The interest of the Bank & other matters greatly important to a particular party would then be fully attended to—it behoves the friends of the constitution to be vigilant & active—they will find their opponents are not asleep. Most respectfully I am, Your Obdt Servt, David Jackson

P.S. This moment I recd your favor of yesterday in the Congress Chamber, but time would not permit me to peruse it before the return of the post.

RC (PHi: Bryan Papers).

[1] For the belated adoption of the requisition for 1785 on September 27, see *JCC*, 29:765–71.

[2] For the manner in which this provision was written into the grand committee report on the requisition, which had been taken up in debate July 18 and 22, see *JCC*, 29:545–46.

[3] Lafayette communicated this information in a May 11 letter to George Washington, for which see Lafayette, *Papers* (Idzerda), 5:323. It was offcially communicated to Congress by John Jay on August 2. *JCC*, 29:598–99.

[4] Nonetheless, Benjamin Franklin was elected president of Pennsylvania on October 18.

William Samuel Johnson to Samuel William Johnson

New York July 27th. 1785. Advises Billy to take no action on the debt owed by Mr. Hard to Gulian Verplanck "till you see, or hear from me again." "I have been very anxious to make my Visit to Stratford, & consequently much disappointed that Capt. Hoit has not yet made his Appe[a]rence here, especially as I have not been able to find any other convenient Vessel to come in. Had Hoit been here, as I expected, last week, I sho'd then have return'd with him without difficulty. Now indeed I meet with fresh Embarrassments from the turn business has within a few days taken in Congress. I hope nevertheless so far to overcome those difficulties, as to embark in a few days on

Board the first good Vessel I can find, but can fix upon no particular time at present. Were I alone, I sho'd be little sollicitous what Vessel I took passage in, but as Betsey comes with me, I wish she may be accomodated as well as Circumstances will admit of."[1]

RC (CtHi: Johnson Papers).

[1] Johnson also wrote the following brief letter to his son later the same evening. "After I had closed my Letter of this Eveng I received yrs. of yesterday, & am extremely concerned to find yr. dear Mamma has been so much disappointed. I had conceiv'd that she chose Betsey sho'd come by Water, & therefore never once tho't of coming in the Stage. And I depended so much upon Hoits being here last week that I probably miss'd some other opportunity that I might have found but for that depend[en]ce. Now, as I have mention'd in the former Letter, I am Embarrassed with business again, so that it is utterly impossible for me to set out tomorrow, & can only beg Mamma will excuse me for a few Days longer. I will if possible tomorrow disengage myself from the business In Congress, & find a Vessel that may answer our purpose, or if none offers be ready for the next Stage." Johnson Papers, CtHi.

John Laurance to Timothy Pickering

Dear Sir, New York July 27th 1785

Mr. Wolcot of Connecticut has resigned the appointment of one of the Commissioners for holding Treaties with the Indians. The remaining Commissioners are General Butler, General Clark and Arthur Lee Esquire. A Day has been assigned for the apointment of a Commissioner in the place of Mr. Woolcot. I have taken the Liberty of nominating you to succced him. Should you be inclined to serve, in case an appointment could be obtained, you will oblige me by communicating your determination and as speedy as it is convenient to you.[1] With much sincerity, Your obed servant, John Laurance

RC (MHi: Pickering Papers).

[1] Pickering endorsed this letter "answered: personally in the negative."

Maryland Delegates to William Paca

Sir New-York July 27th. 1785

We must request the Favor of You, to transmit Us as soon as You can, a Copy of the Act passed our Legislature for procuring a Supply of Cloathing and fresh Provision, passed We believe in the Spring of 1781, in Consequence of a Letter from Genl. Washington.[1]

Congress are now upon the Requisition, & very uncertain when it will be got through. There seems little Probability at present of Congress adjourning this Year.

We are, with every Sentiment of Regard, Yr. Excellency's very humble Servts. James McHenry

Wm. Hindman

RC (MdAA: Red Books).

[1] For Washington's requests for provisions and clothing in the summer and fall of 1780 that were either sent to Maryland directly by him or through Congress, and the state's response, see Washington, *Writings* (Fitzpatrick), 19:449–51, 20:204–11, 450–51; and these *Letters*, 16:18, 50, 103, 109, 161, 341–42, 419.

Charles Thomson to Arthur Lee

Sir, Office of Secretary of Congress, July 27th. 1785

I have the honor to inform you that the United States in Congress Assembled have this day elected you a Commissioner of the Board of Treasury.[1]

You will be pleased to accept my Congratulations on the appointment.

With great respect, I have the honor to be, Sir, Your most obedient & most hum servt. C.T.[2]

LB (DNA: PCC, item 18A).

[1] See *JCC*, 29:582.

[2] Thomson also wrote to Oliver Wolcott this day informing him that agreeably to his July 13 request Congress had accepted his "Resignation of the Office of Commissioner of Indian Affairs." See PCC, item 18A, fol. 114, item 78, 24:515; and *JCC*, 29:574, 576.

Charles Thomson to the States

Office of the Secretary of Congress

Sir, Circular. July 28. 1785

I have it in charge, as your Excellency will see by the enclosed resolve, to apply to the executives of the several States for thirteen copies of the legislative acts thereof since the first of Septr. 1774 inclusive.[1]

The purposes, for which these copies are desired, and the end to be answered are fully explained in the resolution. As the object is, not merely to procure information to the federal Council, but to establish mutual Confidence & good understanding among the States & that each may derive assistance in the great work of legislation, from the joint wisdom of the whole, I rely with Confidence, that your Excellency will be pleased to order the thirteen copies of the Acts of your legislature from the time above mentioned to be forwarded as speedily as possible and make the necessary arrangements, that I may be furnished from time to time with the Acts which shall hereafter be passed.

I have the honor to be, with great respect, Your Excellency's Most obedient & Most humble Servt. CT.

LB (DNA: PCC, item 18A). Endorsed: "Duplicates transmitted to Georgia & South Carolina 2d August."

[1] For this July 27 resolve, see *JCC*, 29:582–83.

Elbridge Gerry to Timothy Pickering and Samuel Hodgdon

Gentn (Copy) New York 1st August [17]85

Upon conferring with Mr Wilson there is Reason to suppose that Mr Willing will pay forthwith the principal of my Demand, & submit the Decision of the Interest to Referrees in this City.[1] If he consents to this, & will come here within ten Days, with Money to discharge the whole of my Demand for principal, & We should agree on Gentlemen to determine the Question of Interest, I will give You Information that the Suit may be dropped, he paying the Charges thereof. But even this proposition is upon Condition that You & Mr Lewis, think no Embarrassments will ensue from the Measure, & that it can be so conducted as that the Suit shall go on (notwithstanding Mr Willing may come to this City) untill the Business is put on such a Footing, that the Decision of the Referrees here shall be carried into immediate Effect. I will agree to nothing short of an immediate payment of the principal, & a Referrence of the other Claim as mentioned.

Tr (DNA: RG 93, no. 30065). In the hand of Elbridge Gerry.

[1] See Gerry to Pickering and Hodgdon, July 11.

Richard Henry Lee to John Adams

My dear Sir, New York August the 1st. 1785

I received your letter by your Son with the pleasure that will always attend such communications from an old and much esteemed friend.[1] But on this occasion I have been the more happy as it furnished me with an opportunity of shewing civilities to the Son of my friend. I have had as much of his company as our mutual affairs would permit because I have had the satisfaction to lodge him in my House. Your plan for his education I cannot but approve, since it is the very one that I had chosen for my own Son. It may be admitted as a truth little to be doubted that Merchants are generally keen to discern and

ready to persue their true interest. This perhaps may be as good a rule as any by which to judge of the propriety of giving time for payment of the debts due from the U.S. to G.B. previous to the War. Now it is certain that the most knowing Merchants Creditors upon that ground here, have expressed the greatest willingness to consent to receive payment by regular instalments, allowing reasonable time between—the reverse of this, & a rigorous demand of payment as quickly as law pursuits would enable them to recover, they are well aware would be much less conducive to their interest than the first method that I have stated—And this seems to be the plan generally agreed upon, by instalments I mean. Permit me Sir to animadvert a little upon the strange objection taken up in G. Britain by some ill informed writers, whose mistakes appear to have affected even Government itself. It is, that Congress have not power to make effecient Treaties of Commerce. You know Sir that the Confederation has obtained the solemn legal sanction of every Legislature in the U. States; and is therefore a compact as binding as can exist among Men. What then does the Confederation say? By the 9th Article Congress have a clear right to make whatever treaties of Commerce they shall judge proper, subject only to two limitations. One, that foreigners may be compelled to pay as high duties & imposts as the people of any state pay. The 2d that any State may in Toto prohibit the export or import of any particular species of Goods. With respect to the first limitation, is it not one that all states upon earth ought to possess & do actually (I believe exercise). And can a British Minister be serious in refusing to make a Commercial Treaty with Congress because they have not power to permit the Subjects of G.B. to Trade with the U.S. under less oppressions than the Citizens of the States pay? Or Can it be supposed that if Congress possessed this power that so unequal a system would ever be agreed to by Congress. It is not a supposable case, & therefore this limitation can be no true or just ground of objection. The second & only remaining one, seems to have no little force, because a State must be evidently insane that will *in toto* prohibit any species of export or import unless its very existence depends upon such prohibition. And in that case, the power and the exercise of it is indispensable, and reaching to Self preservation must for ever & will for ever be exercised. 'Tis evident that the interest of States will effectually prevent any such total prohibition unless in the extremity above stated—And interest is the surest principle for judging how Men & States will Act. Now then, I say again, that these two limitations excepted (which for the reasons already assigned are no just objections to the making a treaty of Commerce with Congress for want of power) Congress have a clear & unquestioned right to make any treaty the[y] choose. And it is remarkable that except some factious writers in G. Britain, the objection exists not. You

know that very discerning Nations have treated with us under perfect knowledge of our Confederation, without producing any objection of this kind. When therefore the people here are informed of such an objection from G.B. they conclude universally that the objection is too feeble to be real, & that the true cause is something else. That something they are not at a loss to discover, and therefore the general outcry now is, let such regulations be instituted as will put the Trade of G.B. with us under such restraints as may satisfy them that they are mistaken in the supposition that their share of our Commerce will be large as they please, & therefore that no Treaty is necessary. Let us give decided preferences to the Ships not only of our own country, but to those of the nations with whom we have Commercial Treaties. It is very evident that these measures will take effect if Britain does not soon depart from her present System, and take up one more liberal. To be sure, the consequence least prejudicial to them, but which is yet very important, must inevitably take place under their present plan—to wit, a very contracted use of British Manufactures, because their regulations prevent the means of paying for them & of course will greatly limit the use & the purchase of them.

I lately wrote to you concerning my friend Mr. Thomas Steptoe in India[2]—have you received my letters, and have you had it in your power to do any thing for him? I wish much to know.

Congress have taken measures for exposing to Sale Several Millions of Acres on the N.W. side of the river Ohio, a part of the late cession from Virginia, for the purpose of paying off a considerable part of our domestic debt. The Soil & Climate of that Country is incomparably fine, and I have no doubt will be greedily purchased with the public Securities. If this plan succeeds, our debt will soon be removed.

Be so kind as present my respectful compliments to Doctor Price, and tell him that I received his packet of pamphlets[3] distributed them among the Members of Congress who received them very thankfully, and with the respect due to so great & able a defender of the liberties of Mankind and rights of human nature.

I shall always be happy to hear from you, and am, with the highest esteem and most affectionate regard Yours,

Richard Henry Lee.

RC (MHi: Adams Papers).

[1] For Adams' April 29 letter as well as his September 6 reply to this letter, see Richard H. Lee, *Memoir of the Life of Richard Henry Lee,* 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:140–41, 143–44.

[2] See Lee to Adams, May 28, note 3.

[3] See Lee to Washington, January 16, note 2.

James McHenry to George Washington

Dr. Sir. New York 1st Augt. 1785.

Whilst the Marquiss de la Fayette was on his late visit to this country he suggested to me that if I could recollect the train of his military proceedings and commit them to paper, that you would send them to Doctor Gordon who is engaged in writing a history of the revolution;[1] at least as I understood him on this occasion; for the subject being delicate I did not seek explanation. My desire that the military and patriotic proceedings of the Marquiss may be truely stated by the Doctor has been a further inducement with me to execute his wish notwithstanding it interfered with my other avocations. I have therefore comprehended in the inclosed sketch every material feature of that noblemans history, so far as the same is connected with our revolution, which I hope you will introduce to Doctor Gordon in such a manner as may render it of utility to his undertaking.[2] It is incumbent upon history to render him aid in paying a debt to those characters which America cannot pay.

The Marquiss writes by every packet such information as he thinks may be of service to the union, and frequently tells congress what they do not hear from any other quarter, and does them acts of kindness which no other person could do them. The court of France (through his mediation I imagine) has ordered their charge des affairs to withdraw the demand made some time since for the surrendry of Lonchamp, which relieves Congress from much serious embarrassment. Yet one can see that the French Court is not pleased, and hence, that we are not likely very soon to have a French minister—unless Congress do something more than what has been done to satisfy the insult.[3]

Since I have entered upon Congressional politics I must take the liberty to detain you a little longer. Congress have had it under consideration to recommend to the several States to vest them with the power of regulating the trade of the States as well with each other as with foreign nations. This power to constitute a part of the consideration and to be exercised by nine states in congress assembled. Its object to enable Congress to lay as heavy duties and restrictions upon the trade of foreign nations as foreign nations lay upon the trade of the United States. I apprehend that both the genius and interest of the Southern States will be found to be opposed to granting this power. I believe the Eastern States, New York & Pennsylvania are exceedingly anxious for it; but I do not wonder at their anxiety to obtain a monopoly of the carrying trade of the union. What would be the consequence to the Southern States in particular, were foreign vessels

to be prevented from exporting their products. They would for example, having only American vessels to carry off their commodities of export, have fewer purchasers for them, hence their prices would be unavoidably lowered. They would also have less foreign goods imported, which would oblige the consumers to pay dearer for what they must buy. It would seem therefore to be good policy in the Southern States to encourage the number of buyers for what they have to sell, and the number of importers of those articles they must buy, till they become as well peopled as the Eastern States, when a naval defence will be easily established, or come of itself without the aid of restrictions. In the mean while however it may be said, that we ought to lay the foundation for a marine, and therefore ought to begin by discouraging foreign shipping and encouraging our own, for that the riches arising from buying what we want cheap and selling what we raise dear will avail us nothing without a navy to protect them. But is it true that a navy is at present necessary, and if necessary is it true that our people could go to the expence of supporting it? Would it be right to add to our present burthens; can we pay our present debts? Are we in a situation to enter into a war of imposts and prohibitions to force Great Britain or France to open to our shipping their West India possessions? Have we shipping enough to carry on our exports and imports? When Great Britain passed the navigation act she had in her harbours more than a sufficient number of vessels for her own trade. Great Britain too was well peopled at that period and the capital of her traders equal to the exportation and purchase of her products. But our situation is different in both respects, and yet it is said we ought to force a navy, that we ought to prohibit British ships from exporting our products.

Perhaps the point of true policy lays between forcing the growth of our shipping and doing nothing that may forward their increase. Perhaps the Southern States should give up something, and the other States should not ask everything. Were Congress under the latter idea to frame a navigation act, the operation of which would gradually and slowly tend to augment the seamen and shipping of the States without sensibly wounding in its progress the interests of any State, and recommend the same to their adoption, is it not highly probable in such a case that the good sense of the States would readily induce them to come into the measure. Upon this plan they would see what they were to give—that it could not hurt them—and that it might work a general benefit. They could repeal it too, if it was found to hurt them, which alone would be a great inducement with some states to pass it.

You will excuse me for being this particular; but the subject is among the most interesting and that lead me to it, well knowing that although you have withdrawn yourself from all public employments, yet that there is nothing so near your heart as the public welfare.[4]

With respectful compliments to Mrs. Washington and ardent wishes for your health, I am Dr. Sir very sincerely, Your obdt.

James McHenry[5]

RC (DLC: Washington Papers).

[1] That is, Dr. William Gordon, whose *History of the Rise, Progress, and Establishment of the Independence of the United States* was published in four volumes in London in 1788.

[2] According to Washington's August 22 response, the "inclosed sketch" was dispatched to Gordon almost immediately. Washington, *Writings* (Fitzpatrick), 28:227.

[3] For the Longchamps affair, see William Henry to George Bryan, February 26, 1785, note 2.

[4] For Washington's pointed August 22 reply that if the Union was to prosper "there *must* be an accommodating spirit" in Congress in the development of commercial regulations, see Washington, *Writings* (Fitzpatrick), 28:227–30.

[5] Although McHenry wrote brief affectionate notes to his wife Peggy on August 22 (McHenry File, MiU–C) and on August 30 (McHenry Papers, MdHi), no additional letters from him have been found until he wrote to John Hall on September 28 just as he was preparing to set off for Philadelphia to be with her for about two weeks.

Charles Thomson to John Dickinson and William Livingston

Sir Office of Secretary of Congress, August 1st. 1785

I have the honor to forward to Your Excellency an Act of the 20th July in virtue of which it is expected that Lieut. Colonel Harmar will use his endeavours to retain in service the Militia of your State which are under his Command until your Legislature shall be in Session and shall determine on furnishing the quota of Troops required by the resolutions of the 1st, 7th and 12th of April last.[1]

With great respect, I have the Honor to be, Your Excellency's &c. &c. C.T.

LB (DNA: PCC, item 18A). Addressed: "His Excellency Wm. Livingston & J Dickinson."

[1] Pursuant to Congress' decision in April to raise 700 troops for the defense of the frontiers under the command of Lt. Col. Josiah Harmar, Pennsylvania and New Jersey had been assigned quotas of 260 and 100 men respectively. The secretary at war, Henry Knox, had informed Congress in a July 18 letter that the terms of service of Harmar's men would be expiring in August and September, and recommended that he be granted authority to recruit from the men in his corps at Fort McIntosh before it dissolved, especially as he had been ordered to take up a position near the mouth of the Scioto River to support forthcoming negotiations with the Indians. Knox's letter had been referred to a committee consisting of William Grayson, David Howell, and Rufus King, whose report endorsing Knox's recommendation was adopted by Congress on July 20. See PCC, item 150, 1:55–62; *JCC*, 29:558n, 560; and Thomson to Certain States, April 12, 1785. For discussion of United States military policy at this time, and the feeble efforts made to keep a small force under arms to support negotiations with the Indians and garrison a few frontier posts, see James R. Jacobs, *The Beginning of the U.S. Army, 1783–1812* (Princeton: Princeton University Press, 1947), pp. 14–24.

Elbridge Gerry to John Adams

My dear Sir, New York August 3d 1785

The packet has given her Signal this Morning for sailing & I have but an half Hour to write.

You[r] son Mr Adams delivered me your Favours of the 25th & 28th of April,[1] & these were More acceptable as they were received from his Hands. I think him a promising Character, that will make a Figure in publick or private Life, & be an Honor to his Country as well as to his Connections. He has had much Attention paid to him in this City, & by Invitation of the president is now in his Family. Mr Dana having given me some Hints respecting his having attended him as private Secretary, I have obtained a Resolve authorizing Mr *Dana* to charge the publick with *his* necessary Expences on this Score.[2]

We have not yet received an Answer from Governor Rutledge respecting his Appointment to the Hague, but I think it probable that he will accept.

Your Opponents in this Quarter are silenced for the present, finding I presume, that You stand on Terra firma. I hope Your Negotiations at the Court of London will be successful & put You above Competition; but in any event I am sure You will manifest both Abilities & Integrity, & do as much as can be done, under such Circumstances, however grateful the Smiles of your Country may be. You will be far above the apprehension of her unmerited Frowns.

Monsr de Marbois has withdrawn his Demand of Longchamps, & thus puts an End to that very disagreable Contest—this he says is by Order of his Court.[3]

The Cincinnati are not unnoticed nor unsuspected. We have been silent from a principle of Affection for the Officers who compose it. An oppertunity has been given them to retract from their unconstitutional, & dangerous Institution: they would have done themselves immortal Honor & confirmed the Affections of their Countrymen by improving the Moment; but they have not only neglected this, but have pursued this System with a Refinement of policy. They must therefore be checked, & if in doing this, they loose Reputation, they may with Justice impute the Blame to none but themselves. I think You will before November hear that the Matter has been agitated in Congress.[4]

Our Commerce is in a chaotic State, I have no precise Idea of it myself. The Ballance of Trade is against Us at present & drains Us of our Money. But Importations are lessening, because our fundless Speculators cannot get Credit in Europe, & because the Merchant who has Funds, finds no great profit on those Articles from abroad which are not Necessaries, & are classed under the Head of Conveniences & Luxuries. Add to this, our Staples are daily increasing, as well those that are taken from the sea, & that are manufactured, as those which

are the produce of the Country. The Decrease of our Imports, & Increase of our Exports, afford agreable prospects, & must in Time make the Scales preponderate in our Favour; more especially when by Treaties of Commerce, We shall be able to carry our Staples to the best Markets, & purchase what We Want of those who sell cheapest; When in short We shall be able to make the European Merchants bid on each other for our Exports, & undersell each other to have the Advantage of supplying Us.

The Requisition is before Congress: but We can do nothing with it at present. I have not Time to give You a Detail of this Business & with my best Respects to the Ladies of your Family & Colo Smith must conclude by assuring You that with the highest Respects I remain yours

E Gerry[5]

RC (MHi: Adams Papers).

[1] Adams' drafts of these two letters, delivered by John Quincy Adams, are in Adams' letterbooks, Adams Family microfilm, reel 107, fols. 366–70, 382–84. The former is also in Austin, *Life of Gerry,* 1:427–31.

[2] See Gerry to Francis Dana, July 22, note 1.

[3] See David Jackson to George Bryan, July 27, note 2.

[4] Gerry was undoubtedly the chief congressional opponent of the Society of the Cincinnati, but he was wrong in his prediction that the dangers it posed to America would be taken up in Congress. The closest the issue came to congressional debate concerned a report submitted by Secretary Charles Thomson on the petition of a French officer seeking compensation for his wartime service in which his expectation of being awarded membership in the society was noted incidentally. See *JCC,* 29:700–701; and Thomson to the Board of Treasury, September 9, and to John Jay, October 6, 1785. See also Massachusetts Delegates to James Bowdoin, September 3, note 2.

[5] This day Gerry's colleague Samuel Holten also wrote the following note to the treasurer of Massachusetts, Thomas Ivers. "Please to pay unto Capt. Peter Landais, one hundred dollars, for which I will be accountable, as a delegate in Congress from the Commonwealth of Massachusetts." Holten Papers, DLC.

James Monroe to William Stephens Smith

Dear Sir[1] New York Augt. 3d 1785.

I enclose you a letter to my brother[2] which you will be so kind as commit it to Colo. Forrest. Inform him I have recd. his by the last packet & thank him for his kind attention to the request of mine by you. I shall write him by the next.

Your arrival with Mr. Adams's at the same time was fortunate for you both. The kind reception he hath met with at that court is particularly grateful to Congress. It is earnestly hop'd on their part that every jarring circumstance between us will be amicably adjusted. His letter was previous to his entering on business. What hath been the event of his application upon the points of his instruction—how are they dispos'd with respect to the posts &ca &ca. You write by some private safe hand

for otherwise it will be improper to trust it by the mail except in cypher & that between us is too-confin'd for a liberal correspondence. I expect your friends of this city will give you more domestic information than I possess. Let me hear from you believe me yr. friend,

Jas. Monroe

[*P.S.*] Whether Congress will adjourn in the course of the year is incertain, I believe not. A variety of very interesting objects engage their attention. Among these are the commercial affairs of the union. It may be necessary to observe to you that the formation of a commercial treaty with G. Britain was not in the expectation of Congress (nor do I believe it is at present) when Mr. Adams was sent to that court. We think Congress have been premature in their treaties, at least in the principles upon which they are form'd, "that of the right of most favord nation," and that all treaties are subservient or shod. be to internal regulation. My opinion is it will be better that not a word be sd. to the ministers of this court upon the subject, that the anxiety shewn on our part to obtain these treaties hath injur'd our reputation & that all we have obtain'd have put shackles on us. I have not time to dilate upon this subject or would with pleasure. Mr. Philips a gentn. well recommended to me will deliver you this otherwise I shod. have feard saying so much on the subject.

FC (DLC: Monroe Papers). In the hand of James Monroe.

[1] Although Monroe did not indicate the recipient of the letter on this draft, it was undoubtedly written to William Stephens Smith, who had recently been appointed secretary to John Adams in London. At the opening of his second paragraph, Monroe notes the simultaneous arrival of Smith and Adams in London, an observation that coincides with the following passage from Smith's June 15 letter to Pres. Richard Henry Lee. "I was so fortunate as to meet Mr. Adams here on the day after I got to this City—25th ulto.—& . . . to present him with your Excellency's Dispatches and orders of Congress." See PCC, item 92, fol. 9; and *Diplomatic Correspondence, 1783–89,* 3:8.

[2] Not found, but the letter was undoubtedly written to Joseph Jones Monroe (1770–1824), a student at the University of Edinburgh. As Joseph's guardian, James had sent his brother to Scotland in 1783 for his education. See Jefferson, *Papers* (Boyd), 16:110–11; and Harry Ammon, *James Monroe: The Quest for National Identity* (New York: McGraw-Hill Book Co., 1971), p. 85.

Charles Thomson to Certain States

Sir, Office of Secretary of Congress, Aug 3. 1785

Enclosed is a duplicate of my letter of the 28 July which accompanied an Act of the United States in Congress assembled passed the 27, and to which I hope to be honored with an Answer as soon as convenient.[1] I embrace the present Opportunity of forwarding two copies of the Continuation of the journal of Congress to the 29th July, one for the legislative and the other for the executive branch of Government.

With Great Respect, I have the honor to be, Your Excellency's Most Obedient & Most humble Servt, CT.

LB (DNA: PCC, item 18A). Addressed: "His Excellency The Governor of Georgia, S. Carolina, Virginia, N York, Massachusetts."

[1] See Thomson to the States, July 28.

Charles Thomson to Certain States

Sir, Office of Secretary of Congress, Aug 3. 1785

Enclosed is a duplicate of my letter of the 28 July which accompanied an Act of the United States in Congress assembled passed the 27, and to which I hope to be honored with an Answer as soon as convenient. I embrace the present Opportunity of forwarding two copies of the Continuation of the journal of Congress to the 29th July, one for the legislative and the other for the executive branch of Government. On this Occasion I beg leave to observe that your State is at present unrepresented. As the keeping up a constant representation in Congress is of great importance to the Union and the want of it is attended with many inconveniences I take the liberty of recalling your attention to this subject and for that purpose enclose two acts of the United States in Congress assembled, one passed the 1st Novr. 1783 & the other the 19 April 1784.[1] By these your Excellency will see that it is the earnest desire of Congress that the several States should not only keep up a representation, but that each state should at all times when Congress are sitting be represented by three Members at least. Though the journals which I have transmitted will give you a full knowledge of the state of representation in Congress, yet that you may have a more comprehensive view of it, I enclose an Abstract which I have caused to be made of the attendance of the States since the first Monday in Novr. last.

With great respect, I have the honor to be, Your excellency's Most obedient and Most humble Servt. C.T.

ENCLOSURE

Abstract of Attendance of the States in Congress
From the first Monday in Novr 1784 to 29 July 1785 inclusive

The Attendance noted	169 times		
Newhampshire represented .	120 times		
Massachusetts	152	14 times, not seven states	
Rhodeisland	136	28 only 7 or 8 repres[ent]ed	
Connecticut	106	49	9 states do
New York	146	40	10 states do
New Jersey	126	32	11 do
Pensylvania.	130	6	12 do

Delaware	30
Maryland	115
Virginia	162
North Carolina	96
South Carolina	142
Georgia	66[2]

LB and enclosure (DNA: PCC, item 18A). Addressed: "To his Excellency the Govr of N Carolina, Delaware, New Jersey, Connecticut. The same (omitting these words 'On this occasion I beg leave to observe that your state is unrepresented') To Newhampshire, Rhodeisland, Maryland."

[1] See *JCC*, 25:790–91, 26:245–46. See also Thomson to Certain States, August 9, and to the States, August 24 and October 25, 1785.

[2] Thomson wrote at the foot of this "Abstract": "NB sent copy of the acts of Nov. 1st 1783 & 29 April 1784 & of the Ab[stract] to Massach."

Charles Thomson's Memorandum Book

[August 4–30, 1785]

Augt. 4. Transmitted to the Executives of the United States from Georgia to N Hampshire inclusive Two copies of the Journals of Congress from the 10th of June to the 29th July inclusive.

Transmitted to the President of Pennsylvania Journals of Congress for the Year 1779—and from the 3d of Novr. 1782 to the 1st Monday in Novr. 1783—the Journal of the Committee of the States—and the Journals from that period to the 29th July inclusive with one copy from the 10th June to that period.

Transmitted to the Governor of North Carolina a duplicate of the 28th of May, 1785—with the Acts and Ordinances inclosed.[1]

8. Delivered to the office for foreign Affairs—Mr Jays letter of the 13th July.[2]

9th. Delivered to Mr Foster the Journal of Congress for the Year 1783—to the same from the Year 1774—a compleat sett—excepting 1779, 80 & 81 to the 29th July 1785.

To Mr Gerry compleat sett to 29th July 1785—the Year 1780 excepted.

10. Forwarded by Post letters to the President of Pennsylvania and Governor of Maryland—enclosing Acts of the 23d March 1784—1st Novr. 1783 & 19th April 1784.[3]

30th. Delivered to Mr. Pettit Journals of Congress for 75, 76 & 1778.

MS (DNA: PCC, item 181). In the hand of Roger Alden. A continuation of Thomson's Memorandum Book, July 1–26, 1785.

[1] See Thomson to Richard Caswell, May 28.

[2] Two July 13th John Jay letters are in the PCC—to Thomas Jefferson (PCC, item 121, fols. 90–91), and to Robert R. Livingston (PCC, item 120, 1:368–69). None of this date to the president of Congress has been found.

[3] See Thomson to Certain States, August 9.

Charles Thomson to John Dickinson

Sir Office of the Secretary of Congress. August 4th. 1785.

I have received the letter You did me the honor to write on the 1st.

In compliance with Your desire, I now send You the Journals of Congress for the Years 1779, and from the 3d of November 1782, to the 1st Monday in Novr. 1783. The Journal of the Committee of the States, which fills up the vacancy from the adjournment of Congress June the 3d, 1784, to its meeting in Novr. following. And the Journal of Congress from that period, up to the 29th of last month inclusive.

With great respect, I have the honor to be, Your Excellency's & The Honble. Council's Most obedient & Most humble Servt.

Cha Thomson

RC (PHarH: RG 27). Addressed: "His Excellency The President of Pennsylvania."

Charles Thomson to Michael Hillegas

Sir Office of Secretary of Congress August 5th. 1785

I have it in charge to inform you[1] that your removal to the City of New York to administer the duties of your office as Treasurer of the United States of America is indispensable; but that if you can so far arrange your private affairs as to remove to this place by the first of October next, Congress will not proceed to the appointment of a person to succeed you.

This attention to your private convenience is so strong an instance of their favour, and desire of continuing you in office that I am confident it must make a deep impression, and if possible induce your removal. I shall expect your Answer as soon as your determination is fixed—and am, with much esteem yours &c. CT

LB (DNA: PCC, item 18A). Endorsed: "Duplicate transmitted 16th August with this addition: The above is a duplicate of my last, finding that there is an impatience to know the result of your determination, I must request the favour of an answer as soon as Convenient. C.T."

[1] This August 5 congressional directive is not in Thomson's journals, but was copied into the secretary's letterbook immediately preceding this letter. See PCC, item 18A, fol. 121; and *JCC*, 29:614–15. For the repeated efforts of Congress and the treasury commissioners to obtain the removal of Hillegas' office as treasurer from Philadelphia to New York, see Rufus King to Timothy Pickering, June 17, note.

Charles Thomson to John Rodgers

Sir Office of Secretary of Congress, Aug. 5. 1785

The United States in Congress Assembled having this day appointed You one of their Chaplains,[1] I embrace the earliest Opportunity of giving you the information, and am, with the greatest respect, Sir, Your Most obedt & Most humble Servt, Cha Thomson[2]

RC (NjHi: Revolutionary Era Collection). Addressed: "The Revd. Doct. Rogers."

[1] See *JCC*, 29:613. Rodgers' August 8 reply accepting this appointment is in PCC, item 78, 19:507–10.

[2] This day Thomson also wrote to Mark McCall acknowledging receipt of his August 1 acceptance of appointment as one of the Continental surveyors, for which see Thomson to the Continental Surveyors, May 28, note 3; and to Thomas Hutchins, August 15, 1785.

David Ramsay to John Eliot

Dear Sir,[1] August 6th 1785

Your favor of the 21st of July came safe to hand by Doctor Gordon. For your friendly sympathy in my late bereavement I am much indebted to you.[2] It has been an awful admonition to Me of the uncertainty of human happiness. When I thought myself at the summit of enjoyment both in public & private life to be tumbled down into the depth of distress was insted a trying dispensation; but it came from that hand which wisely governs the Universe & directs all things for the best.

I sincerely rejoice with you in your domestic happiness. May it be lasting. May it never or not till late in life be your lot to drink of that bitter cup which I have been twice obliged to drain off to the last dregs before I had completed my thirty fifth year. Model my compliments in the most agreeable manner to Mrs. Elliott & assure her that it would give me pleasure to see the amiable partner of the happiness of my friend.

I feel with you the declension of our public virtue. Liberty which ought to produce every generous principle has not in our republics been attended with its usual concomitants. Pride, Luxury, dissipation & a long train of unsuitable vices have overwhelmed our [coun]try. The noble spirit seems to break forth as usual in the north. The Press, the pulpit & all the powers of Eloquence should be exerted to counteract that ruinous propensity we have for foreign superfluities & to excite us to the long neglected virtues of Industry & frugality.

I see by the papers that you celebrate Independence with an anniversary oration. That is a practice I much applaud. To the many obligations you have already laid me under you would add a very con-

siderable one by sending me a copy of the performances on that occasion. On the tenth instant I sail for Charleston in South-Carolina there to reside the months of September & October. I propose to be in New-York next November & to spend the winter here.[3] There or here I shoud be happy in your correspondence & rejoi[ce at] every opportunity of evincing that I [am], with great respect & es[teem], Your very humble servt & sincere friend, David Ramsay.

RC (MHi: Andrew-Eliot Papers). Addressed: "Revd John Elliot in Boston."

[1] Eliot was previously identified in these *Letters*, 18:647n.1.

[2] Ramsay's second wife, Frances Witherspoon, daughter of former New Jersey delegate John Witherspoon, had died in December 1784. Ramsay, *Writings* (Brunhouse), p. 23.

[3] Ramsay resumed his seat in Congress on November 22, 1785. *JCC*, 29:875.

Samuel Holten to Nathaniel Gorham

Dear Sir, New York, 8th Aug, 1785.

I have been honored with your attention of the 28th ultimo.

As to coining of copper,[1] several persons have been making proposals, but Congress have not yet determined any thing farther upon the subject, than what I perceive you are acquainted with; Whether they will contract to have it done, or cause it to be made themselves, is uncertain, & to give an opinion upon a matter that is to be determined, by such a body as Congress, you must be sensible is a little uncertain: however, proposals given in, I conclude, will be taken up & attended to, when that part of the business comes under consideration; but I rather incline to think, by what I have heard said, by the members, that Congress will cause it to be made themselves:[2] notwithstanding, you may be assured of my attention to the same, if it should come under consideration while I tarry, as it would give me sensible pleasure to render you, or your friend, services.

I consider my self under renewed obligations for your intelligence & kind expressions respecting my not being re-elected,[3] & I have not the least doubt, after what I have heard, but the court proceeded in the choice upon the idea you mention; and I am as well informed, that pains were taken to make the members believe it was so, when it was well known, to persons concerned, that I was not only eligible to March next, but for one whole year from the 1st Monday in November next; however, I will observe to you (as a friend) that had the true reason been known why some persons wanted me out of Congress next year, it would have been most likely to have secured my election, and I submit it to you, whether it was not additionally unjust & unkind to hint that Dr. Holten had once agreed to remove from Trenton to

Phila. & with an expectation of being appointed President; but I will only say that it had not the least foundation in truth altho' it has answer'd the purposes intended; & having had some intelligence of what was doing against me, before the elections came on was the reason of my hinting it to you in a former letter.

I have now determined to give my constant attendance in Congress as usual, untill the time for which I am elected expires, that the same persons may not have it in their power to say, I left Congress on account of my not being reelected.

With perfect respect, I have the honor to be your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] The following extract from Gorham's letter, which is in the Edmund C. Burnett Collection, DLC, contains the passage to which Holten is responding. "If you remember when we were at Congress togeather a Mr. Bridges [Edward Bridgen] of London a worthy man and good Friend to America made an offer to Congress to supply them with suitable quantity of copper coin." For the receipt of this offer, see these *Letters*, 20:18n.

[2] For Congress' response to the report on coinage that was read in Congress on May 13, see William Grayson to George Washington, July 25, note 5.

[3] That is, as a delegate to Congress when the Massachusetts General court elected a new slate of delegates June 16, 1785. Gorham was at this time speaker of the Massachusetts House of Representatives.

David Ramsay to Thomas Jefferson

Sir, New-York August 8th 1785

In conformity to my promise I continue to send you my history as it comes out.[1] The notes of the first volume though necessary to strangers are well known to Americans who have been in public Stations. I flatter myself the second volume which you will next receive will be more worthy your attention than the first. It contains the brilliant campaigns of 1780 & 1781 which were superior in materials for history to any that preceded them.

Mr De Marbois has flattered me with an assurance that the work would be acceptable in France & that a translation of it would be desired. He transmits copies of it with a view to this to the Chevalier de Chatellux. Should an European edition and a translation be thought advisable I have taken the liberty of suggesting a few alterations & hints. I leave this matter wholly to yourself & Mr Marbois correspondent to determine. Perhaps you will not be so well able to decide on it till you see the whole text which I hope you will by the next packet. If there is any merit in the work it is in the chapters that are now striking off. Whatsoever you shall do in the matter shall meet my approbation. If a translation is thought proper you shall not in any event lose by it: if it is not I shall have the pleasure of furnishing you with the reading of the first copy of my work that crossed the Atlantic. I shall be absent from

Congress till the latter end of October. I have obtained the favor of Col Monroe to transmit to you the succeeding chapters by the next packets.

I have the honor to be, with the most exalted sentiments of respect & esteem your most obedient & very humble Servt.,

David Ramsay

RC (DLC: Jefferson Papers).

[1] See Ramsay to Jefferson, June 15, 1785.

Charles Thomson to Certain States

Sir, Office of Secretary of Congress, Augt. 9th. 1785.

In my letter of the 3d which went by the Neptune, Capt Guest, I forwarded two copies of the continuation of the Journal of Congress up to the 29th July.

The design of the present is to recal your attention to an Act of the 23d of March 1784, which You will find enclosed, together with two other Acts on the subject of keeping up a representation in Congress.[1] By these Acts Your Excellency will perceive it is the earnest desire of the United States in Congress assembled, that the several States, should not only keep up a constant representation by three members at least, but that there should be a uniformity throughout the Union, in the commencement of the Year for which the Delegates are appointed. Both the letter and spirit of the confederation, point out the first Monday in Novr. as the commencement of the fœderal year. Nine of the States in the Union view it in the same point of light, and have made their appointments conformable thereto. I trust therefore that Your excellency will recommend this matter to the consideration of your legislature, And that they will adopt measures to comply with the wishes of Congress in this respect.

I have the honor to be, Your Excellency's Most obedient and Most humble Servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "His Excellency The Governor of South Carolina, Georgia, Pensylvania, Maryland." Endorsed: "A Copy of the letter to South Carolina omitting the first paragraph."

[1] For these three "Acts" (November 1, 1783, March 23 and April 19, 1784), see *JCC*, 25:790–91, 26:156–57, 245–46.

South Carolina Delegates to William Moultrie

Sir, New York Aug'st 10th, 1785.

We did ourselves the honor of writing to your Excellency the 24th

day of June last;[1] since which we are honored with your favors of the 24th & 30th June & 1st July last.

His Excelly. Governor Livingston, declining the appointment to the Hague, the Hon'ble. Mr. J. Rutledge has been unanimously elected in his room—we flatter ourselves that he will accept, as it is an office in which his abilities may be exerted for the general benefit of the Union and the particular interest of our State.

The Treasury department is filled by the election of Mr. A. Lee.[3]

We feel much satisfaction in communicating to your Excellency, that the cloud which threatned a degree of coolness between the court of France and these United States is happily dispelled, by that courts relinquishing their demand [for the] delivery of [Longchamps]. This event gives very general joy to all the true friends of the Union.[4]

A general adjustment & final settlement of the accounts of individual States against the Union is a matter which Congress have much at heart, to effect this purpose there is now before Congress a proposition to the following effect—That the commissioners of the United States for settling the accts. of individual States, shall settle all accts. that shall be exhibited to him before the 31st Decr. 1786 & transmit the same to the Board of Treasury who shall order the same to be passed to the credit of the State & the balance shall draw an interest of 6 per Ct. which interest shall either be a deduction from or an addition to the States quota as the balance shall appear for or against the State & shall be included in the next & each ensuing requisition.

And that the commissioners shall continue to transmit to the board of Treasury annually the accts. of the States made up to the 31st [of December in every succeeding year] which shall [in like] manner be passed to their credit, until the whole are closed & settled. This proposition takes into its purview all supplies of what ever kind—all monies paid by States and each States quota of 200,000,000 dol's emitted during the war, which quota (subject to future revission) is ascertained by resolution of the 18th March 1780.[5] We think it our duty thus early to give this information to your Excell'y, that if the proposition should be carried into a resolution the gentleman who has the settling of our accounts may be urged to close them as speedily as possible and that the legislature may at their next meeting adopt such measures as to them shall seem proper for calling in 15,600,000 dollars, our quota of the 200,000,000 dol's emitted during the war—but whether this proposition takes place or not a speedy settlement of the public accts. is a matter much to be wished, as on a view of the Treasury books of the Union our State stands debtor upwards of Twenty five Millions of dollars. [This includes our quota of the one] Million two hundred thousand [dollars required by the] resolution of the 4th Septr. 1782 for the express purpose of paying interest to domestic creditors, And our quota of 8 Million dollars required by resolution of

the 30th Octr. 1781, which we imagine will be balanced by the payments we made in supplies & monies in 1782 & 1783. While on the adjustment of public accts. we beg leave again to mention, with respect to those assumptions which the State has made to individuals for demands against the Union, that where it can possibly be done our Commissioner should be directed (if he has not followed that method) to take the certificates as the representative of the individual & not generally to the State—our reason for this is that in the first instance we shall be entitled to receive an annual interest which will go in alleviation of our quota, but if we take it as a general certificate to the State it will not give this relief but be passed to our credit at a final settlement of the accounts of the Confederacy.

As we have mentioned [] our quota of the 1,200,000 for the payment of domestic interest, we beg leave to observe that the appropriation of this sum was totally left to the respective States & is not held as a transaction of the federal treasury, but on the contrary Congress have supposed that each State has complied by paying their citizens the interest due them by the Union, as will appear by resolution of 27th April 1784 to which we beg leave to refer—therefore the supposition of the Committee of ways & means in our last session of assembly, that this sum might be deducted out of our supplies furnished in 1782 is a mistake & this sum is yet to be provided & appropriated to the discharge of the interest due on loan office & other certificate which was due antecedent to 1st Jany. 1782.

There are other resolutions of Congress which our legislature have not acted upon, those which at present occur and which in our opinion are of much consequence [are the resolution of] April [18, 1783, calling upon our] State [for] 96,183 dols as a supplementary fund in aid of the impost and recommending an alteration of the eighth article of the confederation, and resolution of 30th April 1784 recommending to the States to grant a power of regulating trade for 15 Years.

There is one other matter we beg leave to trouble your Excell'y upon, which is respecting the returns to the War office, we find that there has been no returns made from our State for the years 1777, 1780 & 1781, the two last years our line being prisoners may make it difficult to ascertain their numbers, but if it could possibly be done altho not perfect it would have a good effect.

The Delegates of Massachusetts have requested us to forward to your Excell'y the inclosed Act of their State & have desired us to inform you that the intention of their Legislature is to counteract the machinations of the British nation, but that they are fully convinced their efforts unsupported by those of their Sister States [will not only fail to accomplish this aim] but will fail to effect those [other important pur]poses which they aim at, they therefore hope the assistance of the States in perfecting this laudable design, by passing such acts as

they judge proper to effect these good purposes, until Congress shall be empowered to make general regulations respecting trade.[6]

The Hon'ble J. Adams has had his Audience at St. James's & was most graciously received.

Don Gardoqui had his audience of reception the 2d July as *Encargado de Negotios* of his Catholic Majesty. The Hon'ble. Mr. Jay Secretary in the department for foreign affairs is appointed by Congress to negotiate with him.

The intelligence we have received from our Commissioners for negotiating treaties of commerce in Europe is that they are on the eve of concluding treaties with the courts of Berlin & Tuscany, And we have no doubt but that treaties are in great [state of forwardness with] the regencies of Tunis, Tripoli & Algiers.

The Secretary of Congress will transmit to your Excell'y the journals of Congress.

We have the honor to be, with the greatest respect, Your Excellencys Most Obedient and very humble Servts.

Jacob Read — Charles Pinckney

John Bull — John Kean

David Ramsay

Tr (DLC: Edmund C. Burnett Papers). "Copied from the original, then in the possession of Mr. Stan. V. Henkels of Philadelphia." Bracketed material conjectured by Burnett.

[1] Not found.

[2] For John Rutledge's refusal of the post and the complex maneuvering that surrounded the appointment, see James Monroe to Thomas Jefferson, April 12, note 6.

[3] See Monroe to James Madison, December 18, 1784, note 5.

[4] For the resolution at this time of the Longchamps affair, see William Henry to George Bryan, February 26, note 2.

[5] See William Samuel Johnson to Matthew Griswold, July 9, note 2; and Joseph Gardner to John Dickinson, October 1.

[6] See Massachusetts Delegates to James Bowdoin, August 23, note 5.

Richard Henry Lee to James Madison

Dear Sir, N.Y. Augt. 11. 1785

Your favor of July the 7th[1] was long coming to hand as I find my letter of the 20th May[2] was in getting to you. This joined to the uncertainty of letters ever arriving safe is a very discouraging circumstance to full & free correspondence. I have the honor of according most perfectly and entirely with your ideas for regulating our severance from Kentucky. It is unquestionably just that this district should assume her fair & full proportion of the debt created by the War because the benefit being Common so should be the expence procuring

it and that this country shall be a fundamental article in the Act of parting; as well as that they shall be a component part of the Federal Union. The Contract should be Tripartite; the parties, our State, Congress, & Kentucky.[3] Mr. Jay is commissioned to treat with Mr. Gardoque, but as yet nothing has been done. The exclusive navn. of Miss'ipi will be earnestly contended for by Spain, who to quiet us on that head will probably grant large commercial benefits. But if we remain firm, I incline to think that the Navign. will be consented to. As yet we only know Officially that Mr. Adams has arrived in London, received his Audience & delivered his Credentials. The next packet will probably inform us of his feeling the B[ritish] pulse & how it beats at the subjects that he is to try them upon. I think with you that there is not great room for hope of Commercial advantages from a Nation whose Appetite for Commerce has ever been ravenous, and its wishes always for Monopoly—And the more especially as we have no compensation to make. I believe that we may dispose them to be reasonable, by a very careful, and considerate restraining of their Trade, in all cases where we shall not injure ourselves more than them by the restraint. But it seems to me clearly beyond doubt, that the giving Congress a power to Legislate over the Trade of the Union would be dangerous in the extreme to the 5 Southern or Staple States, whose want of ships & Seamen would expose their freightage & their produce to a most pernicious and destructive Monopoly. With such a power 8 states in the Union would be stimulated by extensive interest to shut close the door of Monopoly, that by the exclusion of all Rivals whether for the purchasing our produce or freighting it, both these might be at the Mercy of our East & North. The Spirit of Commerce thro'out the world is a Spirit of Avarice and could not fail to act as above stated. What little diffculty there would be in drawing over one of the 5 to join the 8 interested States must be very discernable to those who have marked the the progress of intrigues in Congress. In truth it demands most careful circumspection that the Remedy be not worse than the disease, bad as the last may be. I could say much on this subject, but it is not necessary, for I am sure that your good sense reflecting calmly on the subject will sufficiently discern the danger of such an experiment. Nor do I believe it necessary, being perfectly satisfied that a well digested system of restraint being properly laid before the States by Congress would be universa[l]ly adopted by the different Assemblies. I think so, because it will be most evidently the interest of all to do so. It is true that the price of our Staple has been for some time greater at Phila. & here than in Virga. But it is as true the European price did not warrant the price at these two places as the great losses & bankruptcies of the Adventurers plainly prove. Indeed this excess of price at P. & N. Y. was occasioned by sinking Speculators, who to swim a while longer, would go any lengths to keep up appearances by making some remittance to their Creditors aboard. But this business is

now chiefly over & here at present there is neither money nor inclination to purchase Tobo. The crowd of Bankrupts at P. has, I believe, nearly produced the same effect.

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

[1] See Madison, *Papers* (Hutchinson), 8:314–15.

[2] Actually, 30th May.

[3] See William Grayson to Madison, August 21, note 5.

Charles Pettit to John Dickinson

Sir New York 12th August 1785

Messrs. Turnbull, Marmie & Co having, by Memorial, stated to Congress their Claim to the Land on which the Fortifications at Pittsburg were erected, and prayed that the Possession thereof may be delivered to them,[1] the Delegates from Pennsylvania took an early Occasion to mention the Desire of Council, communicated to them by your Excellency, that the Possession should be delivered to certain Commissioners of the State whenever Congress should think proper to remove the Garrison & Continental Stores from thence. Such Removal will probably take Place shortly, tho' no formal Resolution for that Purpose has yet been passed; and as it is understood that Possession of that Post was taken on Behalf of the United States without any Treaty or Contract, it seems to be the Intention of Congress to relinquish it in the same Manner, in order to avoid meddling with the Claims of the State or of Individuals as to the Right of Possession; more especially as some have supposed that as it was formerly the Seat of a british Garrison, it became the Property of the U.S. by Conquest. To avoid Embarrassment on any of these Accounts it will probably be abandonned, rather than delivered up as a Possession to any Claimant. I have therefore advised Messrs. Turnbull, Marmie & Co. to make their Application to Your Excellency & the Council on the Subject, presuming that the State Commissioners will be directed to take the Possession,[2] on its being relinquished by the United States.

I have the Honor to be, very respectfully, Your Excellency's most obedient & most humble Servant, Cha. Pettit

RC (Privately owned original, 1974). Burnett, *Letters*, 8:182.

[1] See David Jackson to George Bryan, July 1, note.

[2] For the Pennsylvania Council's response to this advice, which led them to direct John Ormsby, Michael Huffnagle, Robert Galbraith, and Thomas Galbraith to take possession of Fort Pitt for the state "upon its being relinquished," see *Pa. Council Minutes*, 14:517.

James Monroe to James Madison

Dear Sir N. York August 14th. 1785.

Yours of the 28th of July I receiv'd by the last post. The rout from hence to Boston may be effected by stage in 5 days; to lake George in the same time, thence to St. Johns in three perhaps less, to Montreal one, & thence to Quebec in two, but in the latter instance it must be posted. In either rout you will have no difficulty for the boats and stages are under good regulation. I have been in doubt for some time which to prefer, the trip to Boston or the Indian treaty (having gratified my curiosity as to Canada) & have at length given way to the circumstances which urge in favor of the latter, viz. the security & facility of travelling with the Comrs., an opportunity wh. may not offer again whereas a trip to Boston will be always equally practicable. It wod. give me pleasure to meet you in Phila. but as you delay yr. mov'ment untill you hear from me, cannot expect it, since I sit out hence on the first of Sepr. to join Genl. Butler in Carlisle. I shall return from the treaty thro' the Wilderness & see you at Richmond as you will be on the Assembly. By the first of Sepr. we expect the most important business will have been decided on ultimately, or postpon'd for the winter. The requisition will have pass'd, unless new difficulties arise. This subject hath been sifted thoroughly with the advances of the several States during the contest & their claims upon each other under them respectively. We cannot but lament that the state of our accts. agnst the union is in such a situation as to leave us totally in the dark with respect to it. We have no documents & have therefore only conjecture to build our most important measures on. Several men have been in pay for years in Richmond and yet have reason to believe they have done little. Surely the state will pursue the most efficatious measures upon this head & no longer suffer her interests in that line to be neglected. Those states whose accts. are unsettled are not only subjected to great disadvantages in the requisition but are criminated as avoiding it designedly for the purpose of evading the payment of what they owe to the other States, having fail'd as they presume to advance their federal quota. The contrary of this will, we suppose, appear upon a settlement, why then, say they, delay it? Does it arise from our refusing any thing you ask to effect it, or the negligence of your government? The report upon the 9th of the articles of confideration will not I believe be finally determin'd untill the winter.[2] It will however probably be taken up merely for the Sake of investigation & to be committed to the journals for publick inspection. You have I understand a copy of & I wish much yr. sentiments on it. A navigation act by recommendation hath been propos'd in conversation & Debate but not submitted to

the inspection & consideration of Congress. This is the other plan & shod. not be adopted but in the ultimate decision, that it is improper the power shod. rest in Congress: if this shod. be the decision it might be well to collect better information from the merchants of each state than congress now possess on the subject, indeed with or without the power, this information shod. be obtain'd or we may err in the act. If this report shod. be adopted it gives a tie to the confideracy wh. it hath not at present nor can have without it. It gives the states something to act on, the means by which they may bring abt. certain ends—without it god knows what object they have before them, or how each State will move, so as to move securely, with respect to fœderal or State objects. A report revising the {instructions to our ministers forming comm[er]cial trea[t]ies}[3] changing the principle & substituting to that of the {right of} the {most favord nation} a simple bargain with each founded in the nature {of our intercourse with each} respectively, hath been twice before Congress & postpon'd.[4] It investigates fully the impolicy of those form'd on that principle, since in the opinion of the committee, they obtain nothing from the powers not having {posesions} [*in*] the {west indies} wh. we may not obtain without them & embarrass us in any restrictions we may lay on the {trad[e]}, of those who have, it being the only means by which we are to remove the restraints which now exist. This alteration seems to obtain the assent of Congress & will most probably be acceded to if there will be a sufficient number of States in the ensuing week. A {consulate convention} with {France} enter'd into under instructions of long standing, (but from wh. the secry of f. affr. thinks there are substantial deviations) by {Dr. F[ranklin] for ratification} universally disapprov'd will most probably be postpon'd for the present.[5] I shall write you again before I sit out if any thing arises worthy communication. I am Dear Sir, yr. friend & servant, Jas. Monroe

RC (DLC: Madison Papers).

[1] See Madison, *Papers* (Hutchinson), 8:331–32.

[2] See Monroe to Thomas Jefferson, April 12, note 4.

[3] Words printed in braces in this text were written by Monroe in cipher.

[4] See ibid., note 5.

[5] For John Jay's July 4 report on the extent to which Benjamin Franklin had deviated from his instructions in negotiating a consular convention with France, see Monroe to Thomas Jefferson, August 15, note 4. See also Richard Henry Lee to Franklin, December 14, 1784, note 1; and Charles Thomson to Jay, October 6, 1785.

New Hampshire Delegates to John Langdon

Sir, New York Augt 14th. 1785

We are hond. with your Excellys. letter of the 4th instant, by which

we are directed to nominate Capt. Ebenr. Sullivan a surveyor of lands in the Western territory (for our state). It will be out of our power to acquaint you of his appointment this post, as Congress will not be together till after the Post goes out. No doubt our next will advise you of his being elected.[1] We are, Your Excellys. Most Obedt. Servants,

Abiel Foster

Pierse Long

RC (Nh–Ar: State Papers, Revolutionary Correspondence). Written by Long and signed by Long and Foster.

[1] See New Hampshire Delegates to Langdon, July 24, note, and August 17, 1785.

Samuel Holten to George Wiatt

Honored & dear Sir, Brooklyn, on Long island, 15th Aug 1785.

Often it has been in my thoughts, to write to you, before this, but engagements of one kind & another, takes up my attention, & therefore, I wish you to consider, me as not wanting in dutiful respect.

Every week I have the newspapers sent me from Boston, & I can't but observe, that by many of the publications, I should suppose the people, yet, consider themselves as subjects of the British King, or why do they keep complaining of his Laws, for surely he & his court have a right [to] make such Laws as they think proper, for their own subjects, but [if] the citizens of the United States, have no more to do with their Laws, [th]an the Laws made by the *Pope of Rome,* unless they interfere [m]ore with our than his Laws; It is to be expected that every sovereign power will make such Laws as they think most for their interest, and don't Congress & the several Genl. Courts do the same. I answer, they do, if they do their duty to the good people they represent; but I suppose, I shall be asked, what is to be done when the Laws of G.B. are so much against our trade; I answer, be sure to make our own Laws so as to counteract them, & by that means convince them that theirs were not founded in good policy, & then they will repeal them; for I know, of no friendship between nations, farther than interest makes it so; however, it is necessary there should be a balance of power in our Genl. Court, between the commercial & Country interest, so that neither should have too much influence, & by that means the Laws will be likely to be made most to the advantage of all the good people.

I now consider an apology necessary for writing so much upon state matters, but I hope you will excuse it, when I assure you, my head happened [to] be engaged in politicks.

I will now recollect in what state this may find you, much en[ga]ged in haying, no, nearly finished, supposed, & I hope you have not injured your health by labour this hot weather.

You will, Sir, make my kindest & most dutiful respects to mother, & love to your family.

I remain, with all due consideration, yours, &c,

P.S. Please to make my respectful compliments to my old friend Mr. Dale.

FC (DLC: Holten Papers). In the hand of Samuel Holten. Addressed: "Mr. George Wiatt."

James Monroe to Thomas Jefferson

Dear Sir New York August 15th. 1785.

I have had the pleasure to receive yours by Mr. Adams with the cypher accompanying it & am happy to hear of the recovery of your health.[1] I have only fail'd writing you by two of the packets the first of wh. sail'd before, I had been advis'd, she wod., & the 2d while I was ill of a pleurisy wh. I caught by walking in the rain to Congress & had like to have given me my final repose. Colo. Smith, Mr Mazzai & Mrs. Macaulay Graham have since carried my letters to you, or rather took charge of them for that purpose. In those letters I gave you full information of the previous transactions in Congress as well as of the important business still before us. It therefore now remains to give you the progress since that time. {The report proposing to invest Congress with the power to regulate commerce hath been twice before Congress in committee of the whole.}[2] It met with no opponant except {the president}, by this I do not mean that there were no others oppos'd to it, for the contrary is the case. They however said but little or rather committed their side of the question to his care. In favor of it there were but few speakers also. {The committee came to no [*conclusion?*] but desired leave to sit again}. A second plan hath been propos'd, {a navigation act digested here} & {recommended to the States}. This hath not been presented but probably will be. One wod. expect in a {particular quarter of the union perfect concert in this business} yet this is not altogether the case. The 2d plan above attended to takes its origin {with MacHenry. The Eastern people} wish something more lasting & will of course in the first instance not agree to it. They must therefore come in with that propos'd in {the report}. You will ask me why they hesitate? To be candid I believe it arises from the real magnitude of the subject, for I have the most confidential communications with them and am satisfied they act ingenuously. {They fear the consequences} may possibly result from it. The longer it is delay'd the more

certain is its passage thro {the several states} ul[ti]mately. Their minds will be better inform'd by evidences within their views of the necessity of {committing the power to Congress} for {the commerce of the union is daily declining; the merchants of this town} own I am told not more than {two ships}. I wish much to hear from you upon this subject. I expect it will be brought on again shortly, if for the purpose only of {committing it to the jousnals}. It may then be delay'd for sometime untill we may obtain full {information on it: the report changing the instructions for forming commercial treaties} will I believe be adopted.[3] {It changes the principle} & puts an end to that {of the right of the most favored nation}. The policy of forming {a treaty with powers} not having {possessions in the West Indies is doubted} since from them we can obtain as much without as {with a treaty}, and such {treaties} whether upon that or any other {principle} in effecting the main object we have in view, {the opening the islands by treaty} with those who have them, may embarrass us. This is conceiv'd to be the only end wh. can be obtain'd upon principles of expedience to us {by treaty}. Of course that with {Sweden} &ca is unfortunate. Mr. {Adams} seems to suppose {the principal object in his mission to the court of London was the formation of a treaty}; but the contrary was certainly the case: it was merely {to conciliate}, & prevent {a variance} wh. seem'd to threaten at that time. He might however readily make this mistake under the present instructions. {A treaty} is not expected & I am satisfied the majority here wish all propositions on that head to cease, at least for the present, and untill {our restrictions on their commerce have effected a different disposition}. Mr. {Jay is authorised to treat with} Mr. {Gardoqui} upon {the subjects arising between the two parties. He is to lay every proposition before Congress before he enters into any engagement with him. As yet we have heard nothing from him}. The {consulate convention lately formed with France} is universally {disapproved}. It was form'd under instructions {but} in the opinion of {the secretary of foreign affairs hath been deviated from}.[4] I have not had time to examine it attentively so cannot decide as to this fact. I shall sit out on the first of Sepr. for the Indian treaty on the Ohio & return thence thro Virga., & provided I shall be continued in Congress, to this place. I shall however attend the fœderal court for the trial of the controversy between Massachusetts & New York in Novr. so that I doubt whether I shall reach this before Decr. or Jany. next. The requisition will pass I expect this week & most of the important business remaining in a train for decision or be postpond for the winter. I have however no expectation that Congress will adjourn for the present year. I intended to have given you something of domestic news but am inform'd the mail is just closing. By this however, do not suppose that I have any thing worthy communication for the contrary is the case, I shod. be forc'd to look about me to find out any thing

you wod. have patience to read. A Lee is elected in the Bd. of treasury—we were under the necessity of having someone from the State[5] and advocated his appointment. How is Miss Patsy? How is Short? How are they pleas'd with France. I must observe that {Congress} seem to expect {the court of France will send a minister here}. To visit you wod. give me infinite pleasure—whether I shall be able or not depends on circumstances. If I do it will be in the spring after Congress adjourn or at least the most import[an]t business is finish'd. I send you the journals and am dear Sir yr. affectionate friend & servt.,

Jas. Monroe

RC (DLC: Jefferson Papers).

[1] For Jefferson's letter of May 11, see Jefferson, *Papers* (Boyd), 8:148–50.

[2] Words printed in braces in this text were written by Monroe in cipher. For the "report," see Monroe to Jefferson, April 12, note 4.

[3] See ibid., note 5.

[4] John Jay had submitted to Congress on June 24 the consular convention that Benjamin Franklin and the comte de Vergennes had signed the preceding July, for which see Richard Henry Lee to Franklin, December 14, 1784, note 1. Jay further submitted on July 4 a detailed critique of the deviation in the convention from the instructions sent to Franklin in January 1782. In general, Jay contended that the convention granted excessive privileges and immunities to French consuls to the detriment of American sovereignty and he recommended "that the Convention as it now stands, ought not to he ratified." For the next step in the consular debate, see William Grayson to James Madison, August 21, note 7; and Charles Thomson to Jay, October 6.

[5] That is, Virginia.

Charles Thomson to Thomas Hutchins

Sir Office of Secretary of Congress. August 15th. 1785.

I have to inform you that pursuant to their Ordinance passed the 20th of May last the United States in Congress Assembled have appointed the following Surveyors namely[1]

for New Hampshire.	Mr. Ebenezer Sullivan
Massachusetts.	Mr. Rufus Putnam and until he can join you & take upon him the Duties of his Office Mr. Benj. Tupper is empowered to act in his stead.
Rhode Island.	Mr. Caleb Harris
Connecticut.	Mr. Isaac Sherman
New York.	Mr. William Morris
New Jersey.	Mr. Absolam Martin
Pennsylvania.	Mr. Adam Hoops
Delaware.	Mr. Mark McCall
Maryland.	Mr. James Simpson
Virginia.	Mr. Alexander Parker
North Carolina.	Mr. Absolam Tatum

South Carolina. Mr. William Tate
Georgia. Mr. Robert Johnson

Some of these particularly, Mr. McCall and Mr. Tate are desirous to be informed where they are to rendezvous and the latter wishes to know whether distinct parts of the new Territory will be allotted to each and whether they can employ Assistants. For this and every other information I must refer them to you, as they are to act under your direction, and you are to form such regulations for their conduct as you shall deem necessary. The design of this is only to inform you of the persons appointed, that you may communicate your instructions to them and direct their attendance when and where you shall think proper. If I can be of any service in forwarding your Letters, or conveying your instructions you may command me, who am, Sir, Your Obedt. hum servt. C.T.

LB (DNA: PCC, item 18A). Addressed: "Thomas Hutchins Esq. Geographer of the United States."

[1] For these appointments, see Thomson to the Continental Surveyors, May 28, 1785.

Richard Henry Lee to Charles Thomson

Sir. New York August 16. 1785

If, during the time of my absence, any business occurs that requires my signature;[1] be pleased to transmit such to me at Doctr. Shippens in Philadelphia from whence you will receive a speedy return.

I have the honor to be, with much esteem & regard, Sir your most obedient and very humble servant, Richard Henry Lee

RC (DNA: PCC, item 78).

[1] For Lee's "absence" from Congress August 17 to September 29 for the recovery of his health, see *JCC*, 29:631, 775, 787; Lee to Thomson, August 21; and Samuel Holten to William Gordon, August 22, note 4.

Charles Thomson to Robert Howe

Sir. Office of Secretary of Congress. August 16th. 1785

On the 9th I had the honor to inform you that the United States in Congress Assembled had been pleased to elect you one of the Commissioners for negotiating with the Western Indians.[1] I now enclose an Act ascertaining the allowance for the service of the Commissioners while employed in that business.[2]

I am, Sir, &c. C.T.

LB (DNA: PCC, item 18A).

[1] This brief letter is at fol. 123, ibid. Howe's appointment was to fill the vacancy recently created by the resignation of Oliver Wolcott. See *JCC*, 29:576n, 620. For Howe's August 20 letter accepting this appointment, see PCC, item 78, 12:427–30; and *JCC*, 29:650.

[2] See *JCC*, 26:154.

New Hampshire Delegates to John Langdon

Sir, New York August 17h. 1785

In conformity to your direction we nominated Mr Ebenezar Sullivan a surveyor of lands in the Western territory And we have the pleasure to inform you that Congress proceeded to the election, and he was chosen accordingly.[1]

We think it would be best for him to come on immediately, as we expect that the other surveyors are on the ground.

We have the Honr. to be Your Excellys. Most Obedt. Humbl. Servants,

Abiel Foster

Pierse Long

RC (CSmH: HM39002). Written by Long and signed by Long and Foster.

[1] See New Hampshire Delegates to Langdon, July 24, note, and August 14.

Pennsylvania Delegates to John Dickinson

Sir, New York 17th. Augt. 1785

We have the Honor to transmit to Your Excellency the Report of the Secretary for foreign Affairs on the Subject of the Complaint of Mr. Thomas Shields which Your Excellency was pleased to transmit to us.[1]

Previously to our laying this Complaint before Congress, we took Occasion to communicate the same to Mr. Gardoqui in a private Way. He assured us of his Desire to be Instrumental in correcting the Abuse complained of, but that he could not interfere in the Business, unless it should come to him officially. We therefore conceived it to be our Duty to lay the Papers before Congress, who were pleased to refer them to the Secretary for foreign Affairs to take Order.[2]

We have the Honor to be, with great Respect, Your Excellency's most obedient & most humble Servants, David Jackson

Cha. Pettit

RC (PHi: Gratz Collection). Written by Pettit and signed by Pettit and Jackson.

[1] The enclosed August 15 John Jay report, read in Congress the 16th, is in *JCC*, 29:626; and PCC, item 81, 1:327. For Dickinson's June 27 letter to the Pennsylvania del-

egates transmitting Shields' complaint, see PCC, item 81, 1:333; and *Pa. Archives,* 1st ser. 10:476–77.

[2] Upon instruction from Dickinson, Pettit had laid this issue before Congress in a July 13 motion requesting "the Minister of Spain" (Don Diego de Gardoqui) to intercede with a Spanish ship captain (Juan de Morales) for harboring a runaway indentured servant (Alexander Wilson), the property of Thomas Shields of Philadelphia. *JCC,* 29:534–35. Jay's report simply confirmed what Pettit had already ascertained privately, that Gardoqui promised to do whatever was within his power to intercede with Captain Morales. For the documents relating to this case, including a brief August 16 letter from Pettit to Charles Thomson requesting a copy of Jay's report, and a letter from Morales to Dickinson explaining why he had invited Shields on board his frigate, see PCC, item 81, 1:327–51; and *Pa. Archives,* 1st ser. 10:499.

William Ellery to William Greene

Sir, New York Augt. 18th. 1785

I have received a letter from Col. Sherburn[1] officially informing me that the Genl. Assembly, at their last Session, had appointed me Chief Justice of the Superior Court.

This appointment, which was intirely unsollicited for and unexpected by me and my most intimate friends, in itself consider'd, dos me great honour; but when I consider it as a mark of their approbation of my conduct in an important public character the honour is increased and demands my most grateful acknowledgment. Please, Sir, to permit me through the channel of this letter to present my thanks to the honble The Genl. Assembly for this fresh instance of their favour and confidence. But honorable as this appointment is, there are some objections to my accepting it, which I must beg leave to mention, together with a few reasons in support of those objections. The objections are, the precarious tenure by which the Judges hold their offices, and the small salaries annexed to them.[2]

I am a friend to annual elections in general, and to moderate salaries; but it may be a question whether it would not be more beneficial to a State to appoint there judges during good behaviour, or for a term of years with a capacity of re-election at the termination of the period, than to appoint them annually. Almost every State in the Union hath adopted one or other of these tenures: And it is to be presumed that an assurance of continuance in office for a few years only might be an inducement to gentlemen to qualify themselves to fill the bench with respectability, and to such as might be qualified to accept when they should be chosen.

With respect to the salaries of the Judges of the Superior Court, I believe there are but few who would think them immoderate if a considerable addition should be made to them.

In establishing the salaries of officers, a regard, I think, ought to be had to the importance of the office, and to the qualifications requisite

to a right discharge of it. The office of Judge of the Superior Court is one of the most important offices in a State; for in that court decisions are had on the property, the character, the liberty, the life of the citizen; and is it probable that a man would employ so much time and attention as are necessary to form a proper judgment on those important questions, without a compensation proportioned to his services? Unless a man is possessed of a steady income sufficient for the decent support of himself and his family, his attention must be divided between the duties of his office, and the duties of his family, and amidst this distraction I should think he could not give that constant, undisturbed attention to the former, which I deem requisite to a proper discharge of it.

There are but few men in the State possessed of such an income, I am not, and I believe it would be difficult to find, of that few a sufficient number of qualified persons so disinterested as to quit their ease to serve the State for nought or next to nothing.

Honorable salaries may be some security, perhaps, against corruption; but in my opinion the best guard is an uniform character of virtue and integrity. Poverty subjects a man to many temptations; but Lord Bacon, who could not *really* want money, was corrupted.

To these objections, and the arguments in support of them which I have briefly touched upon I must add, that there are several important matters before Congress that require nine States, and the present representation is not so complete as to admit the absence of one State.

Notwithstanding these objections, to show to the Honorable Genl. Assembly that I am disposed to serve the State in any honorable employment they may be pleased to bestow upon me, I will accept of the appointment to the Judge's seat, provided there are a sufficient number of Judges to constitute a court without me, and my absence can be dispensed with until the adjournment of Congress:[3] Relying that the Genl. Assembly will make such a decent provision for the support of the Superior bench as shall be suitable to the circumstances of the State, and the importance of that bench.

I am with sentiments of the highest respect for your Excelly., and The Honorable The General Assembly Your Excellency's most obedient, humble servant, William Ellery

RC (R–Ar: Letters to Governors).

[1] That is, Henry Sherburne, assistant to the secretary of the Rhode Island Assembly. Bartlett, *Records of R.I.*, 10:40.

[2] For Ellery's June 1785 election and the salaries allowed the justices appointed the preceding year, see ibid., pp. 112, 114.

[3] The Rhode Island Assembly responded to Ellery's concern by allowing him to retain his position as delegate to Congress until his term expired in November, when he returned home to assume his post as chief justice. See William M. Fowler, *William Ellery: A Rhode Island Politico and Lord of Admiralty* (Metuchen, N.J.: The Scarecrow Press, 1973), pp. 151–52.

William Samuel Johnson to Matthew Griswold

S'r, Stratford[1] 18th Augt. 1785.

Your Excell'ys favr. of the 8th Instt. was forwarded to me here from N York having arrived there at a time when Congress was in recess for a few Days.[2] The Vote of Congress which occasioned the Request mentioned by yr. Excell'y will be most effectually complyed with by transmitting copies of the New Statute Book.[3] The purpose of the Vote was that Congress and the States respectively might be better informed than they at present appeared to be of the several Systems of Law and was Limited in the manner you see because in most of the States all the Laws previous to Septr. 1774 have been disanulled, and in few of them, if any, has there been so effectual a Revision of their laws as in this State, and it was tho't that the Laws passed since the connection with G. Britain was dissolved would give a tolerable Idea of the Jurisprudence of each State. The object is to be informed of the present state of the Laws in each State which with respect to Connecticut can only be known from the New Revised Law Book. One copy only will be reserved by Congress, and the remainder transmitted to the 12 other States in Exchange for which you will Receive Copies of the Laws of Mass'tts and other sister States. The intention was also that all future Acts sho'd be continued to be Exchanged in like manner so that Congress and each particular State sho'd always be informed of the Laws Enacted and in force throughout the Union, which it was conceived would probably be productive of much Harmony and Uniformity, as well as other beneficial Effects to the United States.

By the desire of the Delegates of Massachusetts Bay I enclose yr. Ex'y Copy of the late Navigat'n Act of that State which as they said they were directed by their Legislat'r to transmit thro' their Delegates to the several States in Union with their wishes that this or something similar to it might be adopted by the other States.[4]

I am sorry to acquaint yr. Excell'y that I have been impatiently waiting here more than a fortnight for such supplies from the Treas'y as were necessary to enable me to return to N.Y. I wrote the Treas'r from thence that it would be necessary for me to receive a remittance from him before I could return and hoped I sho'd be detained here only three or four Days, but received a Letter from him two Days after my Arrival acquaint'g me that there was no money in the Treas'y but that I might depend upon the first that came in. Since which I have sent again to Hartford but received the same answer. I am extremely chagrined at my situation as I know the most consequential Business of Congress is now unavoidably delayed for want of a fuller Representation and I cannot endure that Conn't especially being now an adjoining State to the residence of Congress sho'd be in any regard deficient or occasion any delay in the important affairs of the Nation.[5] Could I

have relieved myself by my own resources or particular Credit I sho'd have returned immediately but I have hitherto found it impossible there seeming to be no Money left in this part of the Country. I am extremely happy to find yr. Health is so happily restored.

Augt. 19th. P.S. Since writing the above I received yr. Excell's Letter of the 10th Instt. something similar to wh'h from the impatience I know Congress feel at the neglect of Representation I expected to have recd. 10 Days ago. The sole reason of my Absence is as above mentioned. But I have the pleasure to acquaint yr. Excell'y that by the very obliging Interposition of the Hon'l Judges of the Supr. Court I this minute find that I shall probably obtain sufficient from Coll. Fitch of Norwalk to answer the present Excigence. Relying upon this I shall call upon him for that purpose the beginning of the Week in my way to N York, and am with the greatest respect.

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] According to his diary, Johnson had left New York July 30 and arrived home the following day. He returned to Congress August 25. William Samuel Johnson's Diary, January 13–15, 1785, note 1.

[2] For the recess of Congress August 9 to 15, see *JCC*, 29:621–22.

[3] For this July 27 congressional request "of the several states, for 13 copies of the legislative acts thereof, since the first of September, 1774," see Charles Thomson to the States, July 28, 1785.

[4] See Massachusetts Delegates to James Bowdoin, August 23, note 5.

[5] The congressional delegates elected by the Connecticut Assembly May 12, 1785, were Joseph Platt Cooke, William Hillhouse, Johnson, Stephen Mix Mitchell, Jonathan Sturges, John Treadwell, and James Wadsworth. *JCC*, 29:566–67. The following letter from Mitchell to Cooke and Johnson of September 6, 1785, contains information on efforts being made to keep the state represented at this time.

"In May last, I had some Conversation with Mr. Sturgiss on the Subject of his attending Congress the ensuing winter if called upon; when he intimated the inconvenience twould lay him under in his profession and strong wishes that his attendance during the winter season might be dispensed with. Mr. Treadwell also urged his want of health as a reason why he should decline serving early in the Year.

"Mr. Sturgiss engaged or encoraged that he would write you, urging your Stay, and soliciting to know what your Intentions were on that head. Having no Answer from Mr. Sturgiss and observing that heretofore Members have almost uniformly been called upon, when they least expected it and not prepared to leave their domestic Concerns; I am induced to desire you to inform whether it will suit your convenience to tarry, not doubting that the great motive (the public Good) which induced you to comply with the wishes of your Constituents the last autumn, will impel you to continue at N'w York thro the winter, should your other Engagements not render it impossible; I may without flattery say (in my Apprehension) it will be painfull to the State, to hear that either of you are under the necessity of leaving Congress. Suffer me to remind you of one (among many) cogent reasons for your stay, which is, that but one Gentn. in the Delegation, yourselves excepted has ever been in Congress." See Burnett, *Letters*, 8:192n; and Johnson Papers CtHi.

Massachusetts Delegates to James Bowdoin

Sir, New York, 18th. Aug. 1785.

We have received your Excellency's letters under date of the 1st, the 11th, the 18th & 28th of July, and of the of August,[1] with the enclosures they severally refer to: these dispatches have been disposed of conformably to the sense of the Legislature as communicated by your excellency, except in the instance of the resolves recommendatory of a revision of the articles of confederation & perpetual union between the states; at the time we received these resolves, Congress had, & still have, under deliberation propositions to remedy the commercial embarrassments experienc'd in many of the states; the prevailing opinion discovered in the progress of deliberation, gave us no cause to expect an adoption of the plan proposed by the Legislature in the resolves referred to; we ourselves considered the object & intent of these resolves as highly important. We have delayed any communication with congress upon this subject, with an intention to state to your excellency our sentiments upon the probable tendency & consequences of the measure should it be adopted by Congress and acceeded to by the states.[2]

We are sensible that our duty points out a prompt and exact obedience to the acts and instructions of the Legislature, but if a case arises wherein we discover most clearly consequences so fatal; that had they been known perhaps the measure adopted would not have been proposed, it may not be improper to delay a final execution untill we have the instructions of the Legislature after such pernicious consequences of the measure shall have been submitted to their examination.

But this may be a questionable opinion, we will therefore, ask the advise of the supreme executive concerning it; & that they may truely know our situation, we will fully communicate our sentiments on the plan proposed for a revision of the confederation.

The business of congress requires so great a portion of our time, that hitherto we have not been able to make this communication, but it shall be transmitted to your excellency by an early post.

With the most perfect consideration & respect, we have the honor to be, your Excellency's most obedient servants. E. Gerry.

S. Holten

R. King

RC (M–Ar: Senate Documents). Written by Holten and signed by Holten, Gerry, and King. Endorsed: "This letter was communicated to the Council, but it was apprehended the advice there requested, was meant by our Delegates to be given after they should

write their Sentiments on the Subject: and their Letter of the 3d Sept. containing those sentiments, which they desire might be laid before the General Court, the Council could not consider, as there was no meeting of the Council after the receiving of that letter."

[1] That is, Bowdoin's letter of August 8 concerning British naval captain Henry Stanhope that was laid before Congress August 15, for which see Charles Thomson to Bowdoin, August 20.

[2] For the Massachusetts delegates explanation of their motives in delaying to act on the assembly's instructions to propose a revision of the Articles of Confederation, see their letter to Bowdoin of September 3. The enclosed July 1 resolves of the General Court, which the delegates had declined to submit to Congress as instructed, read as follows:

"*Resolved*, That it is the opinion of this Court that the present powers of the Congress of the United States, as contained in the Articles of Confederation, are not fully adequate to the great purposes they were originally designed to effect.

"*Resolved*, That it is the opinion of this Court that it is highly expedient, if not indispensably necessary, that there should be a Convention of Delegates from all the States in the Union at some convenient place, as soon as may be, for the sole purpose of revising the Confederation and reporting to Congress how far it may be necessary to alter or enlarge the same.

"*Resolved*, That Congress be and they are hereby requested to recommend a Convention of Delegates from all the States at such time and place as they may think convenient, to revise the Confederation and report to Congress how far it may be necessary in their opinion to alter or enlarge the same in order to secure the primary objects of the Union." They were later endorsed by Rufus King:

"Resolutions of Mass. of July, 1785, for calling a federal convention to revise the Confederacy. These resolutions with the circular letters to the Governors of the several States were transmitted by Gov. Bowdoin to the Mass. Dels. in Congress, viz, Gerry, Holten & King, who doubting the expediency of the measure, suspended it till the next session of the Genl. Court, wrote to them (3rd of September) their reasons for their conduct, and the Genl. Court resolved that the same should be suspended until further notice." King, *Correspondence* (King), 1:58–60.

For a discussion of the legislative context of this issue and the General Court's ultimate acquiescence in the delegates' decision not to submit these resolves to Congress, see Van Beck Hall, *Politics Without Parties, Massachusetts, 1780–1791* (Pittsburgh: University of Pittsburgh Press, 1972), pp. 161–65. For an analysis in the general context of the movement for revising the Articles of Confederation to strengthen the union, see Merrill Jensen, ed., *The Documentary History of the Ratification of the Constitution* (Madison: State Historical Society of Wisconsin, 1976–), vol. 13, *Commentaries on the Constitution, Public and Private*, ed. John P. Kaminski and Gaspare J. Saladino et al. (1981), pp. 28–43.

Charles Thomson to Richard Henry Lee

Sir, Office of the Secretary of Congress, August 18th. 1785

I have the honor to forward for your signature two Notifications of the appointment of Diederik Leertouwer Consul of their high Mightinesses the States general of the United Netherlands, one for the State of Newhampshire, the other for Massachusetts.[1]

I hope your Excellency will receive benefit from a change of air, exercise and a relaxation from business.[2] I heartily wish you a speedy recovery, and have the honor to be with great respect, Your Excellency's

Most Obedient & Most humble Servt. C.T.

LB (DNA: PCC, item 18A).

[1] See *JCC*, 29:631.

[2] For President Lee's "indisposition" and absence from Congress August 17 to September 29, see ibid.; and Lee to Thomson, August 16.

William Samuel Johnson to William Judd

Dr. Sr. Stratford Augt. 19th. 1785

I receiv'd yr. favr. of the 30th July[1] here where I have been this fortnight impatiently expecting those supplies from Hartford without which I cannot return to N York, & where I am sensible it is of much importance I sho'd be, not so much for any particular service I can personally render as to make up such a representation as may enable Congress to proceed on business of Conseq[uenc]e which is now delay'd for want of a fuller Representation. I am glad to find you are Appointd. Agent in the Susq[uehanna]h Business & wish you may be able to procure some Money which is so extremely necessary for the dispatch of Affairs. As to the preparations, all the Pap[er]s I have receiv'd being in N York, I can only say that everythg. will be wanted that maytend to shew the Approbation of the State either of their own Claim or of the proceedings of the Company. Particularly I think there was an Act of Assembly enabling the Compy. to sell or locate their Lands or something of that Nature which I Imagine might be very serviceable, but do not now remember to have found it among the Papers transmitted to me.[2] You will I hope be able to procure it as well as whatever Else may be useful, & be at N York at farthest by the time you mention where I shall be glad to see you & am

FC (CtHi: Johnson Papers). In the hand of William Samuel Johnson.

[1] For which see *Susquehannah Co. Papers*, 8:252. Johnson drafted the present letter on the verso of Judd's letter to him.

[2] For this October 1773 Connecticut act, see ibid., 5:176–77. For the background of this issue, see also Hugh Williamson to John Dickinson, January 14; and David Jackson to George Bryan, July 13, notes 1 and 2.

Abiel Foster to Unknown

Sir. New York 20th. August 1785

I received yours dated Providence July ninth, and agreeable to your desire have made enquiry respecting the pay of the Men who served on board Alliance, Capt. Barry.[1] The Board of Treasury now perform the duties of the Agent of Marine and it is their business to pay the

Men who have not received their wages. I have laid your Letter before them, & have been informed that they have not at present Money for the payment. When the state of the Treasury will permit they will make payment in New York, but are at present of the opinion, that it will not soon be in their power. If the Delegates from New Hampshire for the next year should have an order they might perhaps obtain, & transmit it to the persons to whom it is due.

I am Sir your very humble Servt. Abiel Foster

RC (PHC: Roberts Collection).

[1] Foster's correspondent has not been identified, and no 1785 documents bearing upon this case have been found in the PCC, but for the abortive mutiny against John Barry that erupted in November 1782 over the navy's failure to pay overdue wages to the crew of the *Alliance* and the captain's subsequent correspondence with the superintendent of finance on this problem, see William Bell Clark, *Gallant John Barry, 1745–1803* (New York: Macmillan Co., 1938), pp. 280–85; Morris, *Papers* (Ferguson), 7:180–82, 643–46; and Morris to the President of Congress (second letter), May 22, 1783, ibid., vol. 8 (forthcoming).

Samuel Holten to John Witherspoon

My dear Sir, New York 20th Aug. 1785.

I have been honored with your attention of the 16th in answer would observe, that I make no doubt Dr. Gordon delivered the package agreeably to my mind, for it was my intention not to stand upon small matters with you, and as you are pleased to leave it with me, as to what abatement I will make of the 70 dollars, I will therefore name 65 at being less than I should have been willing to have taken of any other person. I expect to return about the last of Septr. or first of October, and must leave it wholely with you to remit me the money in such way as you can do it with most convenience. The letter enclosed in yours addressed to Mr Wilson I delivered to Dr. Rodgers.

With the most perfect consideration & respect, I have the honor to be, Sir, your most obedient servant

FC (MHi: Holten Papers). In the hand of Samuel Holten. Addressed: "Rev. Dr. Witherspoon."

Rufus King to Thomas Ivers

Sir, New York 20th August 1785

Mr. Avery wrote me some weeks since that he had a warrant in my favor on your Office, but that from the embarrassments of the Treasury, you was uncertain when it would be paid.

I desire only to remark to you that the Situation of the Delegates, being wholly abroad, is different from that of any other Officers of the commonwealth, and as their expences are constant it would be convenient that their pay should be equally so.

I question not your disposition upon this subject, but should be obliged if you will inform me when I may draw upon you for the amount of the warrant referred to.

With entire consideration and esteem I have the Honor to be your obedient servant, R King

RC (TxU: Hanley Collection).

Charles Thomson to James Bowdoin

Sir, Office of the Secretary of Congress Aug 20, 1785

I have the honor to transmit to your Excellency an Act of the United States in Congress Assembled, being the result of their mature deliberation on your letter of the 8th which was laid before them by the honble. the Delegates for the Commonwealth of Massachusetts, touching the disrespectful and indecent conduct of capt Stanhope;[1] and I have it in charge to assure your Excellency that Congress consider the dignity of each of the States as inseparably connected with that of the Union and therefore that it shall on every occasion experience their care and attention.

With the greatest respect, I have the honor to be Your Excellency's Most obedient & Most humble Servt, CT.

LB (DNA: PCC, item 18A).

[1] Capt. Henry Stanhope, commander of the British frigate *Mercury* anchored in Boston harbor, had complained to Governor Bowdoin of "the continued insults and disgraceful indignities offered by hundreds in this town to me and my Officers," and Bowdoin had responded that foreigners could obtain redress of such injuries in the courts of Massachusetts, observing that "disturbances" of this nature were common in populous seaports. Interpreting Bowdoin's reply as an insult, Stanhope indignantly shot back a protest and asserted that Bowdoin's "disinclination . . . to correct such notorious insults" stood in contrast to "the laws and customs of Nations in similar cases." Bowdoin thereupon protested Stanhope's "insolence and abuse," and Stanhope responded again in kind.

Considering the matter an international issue, Bowdoin wrote an account of the entire affair to Massachusetts' congressional delegates, enclosing copies of the five letters exchanged with Stanhope, and directing that it be laid before Congress "that they may take such measures concerning it as their wisdom and a sense of their own honour shall dictate." The governor's letter was immediately referred to the secretary for foreign affairs, John Jay, who reported that although Bowdoin's conduct was "perfectly proper [*and*] that the Captain's reply was highly disrespectful," he nevertheless believed that "no *complaint* or application for *redress* should be made by Congress to His Britannic Majesty on the subject in question." He went on to explain, however, that "it would be

proper to transmit these papers to the Minister of the United States at the court of London" for communication to the British ministry, along with assurances that the United States wished to avoid increasing animosity and to promote mutual goodwill between the two countries.

Jay's report was adopted by Congress on August 18, with the additional order that it "be transmitted to the Executives of the several States" together with copies of Bowdoin's and Stanhope's letters. See *JCC*, 29:626n, 637–47; PCC, item 65, 2:281–94; *Diplomatic Correspondence, 1783–89*, 2:387–96; and Thomson to the States, August 22.

William Grayson to James Madison

Dear Sir New York Augt. 21st. 1785.

Your favor of [1] has come to hand; I am sorry to hear the doctrine of paper money begins to rear up it's head in our State. This subject has been so well investigated at different periods that I can hardly think any reasonable man can advocate it, unless for the purpose of advancing some object of interest; I remember in the old Government that our exchange rose to 65 Per Ct. This alarmed the merchants so much that the King determined to give his assent to no more paper money bills. Agreable to your request I have made inquiry respecting the paper money of Pensylvany; I understand from Colo. Biddle that it is in a state of depreciation. It will however buy goods, under the inconvenience of an additional advance; almost every body says it is mighty good, yet nobody will part with ready money for it at an equal exchange. As I go through Philada. on my return to Virginia I will make the most minute investigation into the matter and furnish you with the result of my inquiries in time for the meeting of our Assembly.

We have done very little since I wrote you last; the States have been so irregularly represented, that it has been impracticable to act upon any matter of consequence; the requisition is still before Congress, and I expect will pass as soon as a sufficient number of States are upon the floor. It rests however at present on principles which are not intirely advantageous to our State;[2] although from a disposition which has lately appeared I think the State will be able to get better terms. I agree with you intirely as to the necessity of a requisition at any rate. Otherwise the public Creditors might be so clamorous, as to render the Govermnt. in some degree odious.

The Mint is still before Congress, and it is uncertain whether anything will be done in it this year.[3] The Post Office is also under consideration, and I am apt to believe the following alteration will take effect:

To transfer the transportation of the Mail to the Stages; & to oblige all Sea Captains to deliver in their letters to the Post Office before they are admitted to an entry. The first alteration will furnish three mails a week through our State, & with much more expedition.

A Post to Canada from New York is talk'd of, also one from Alexandria to fort Pitt.[4] The change of the 9th article of the confederation hath been the subject of debate for two day's, & I expect will be taken up shortly again; there appears to be a variety of objections to the change, & I imagine the Members will not even consent to a recommendation witht. previous instructions from the legislatures.

A commission has pass'd Congress to negotiate with & Mr. Gardoqui, under the direction of Congress; nothing has as yet transpired, neither can I form any idea of what will be the result. There has been no other information from Mr. Adams, except that he hath been received according to the established forms. Mr. Marbois has withdrawn the application for Lonchamp.

A nephew of mine has been here & giv'n me an account of the Convention at Kentucki: from which I conclude an application will be made to our legislature to grant them independance.[5] This matter has been the subject of conversation here, & an opinion begins to prevail that a State has no right to dismember itself witht. the previous consent of the U. S. Indeed this doctrine appears to me to be founded on the nature of things, & to require no comment to support it. Should our legislature take up this opinion I presume the negotiation will be carried on through Congress, when an admission into the confederation may be stipulated at the same time the actual dismembrement takes effect. I do not know that it will be for the interest of our State to withhold independance from them although asked at an unreasonable time for themselves, yet it surely is a matter of consequence to her, that at the time they cease to be a part of Virginia, they become a part of the fœderal Union; The different States can have no other interest in this event than that of dismembering the State of Virga. of whose magnitude they are jealous: They are then gratified with a simple dismembrement witht. admitting the new State into the Confœderation; Will it not therefore be proper to make the dismembrement & admission into the Union Co-existent acts & mutually dependant on each other. There seems to be another reason why this mode should be preferred; the conditions for the security of property & other matters will be more likely to be observed, if the pacta conventa are tripartite, & the U. S. as one of the dramatis personæ can be induced to guaranty them; indeed if the new State is to take upon itself the payment of any part of the public debt I should think it proper the U. S. should admit it to become debtor pro tanto & the old one exonerated in the same proportion. These are thoughts at first new, and I do not doubt but ideas on this subject much more proper have suggested themselves to your mind.

The fœderal buildings at Trenton seems rather to lose than to gain ground. A third Commissioner is wanting without whom the other two are useless & a sufficient number of States has not yet been found to

appoint him. I believe the 30,000 dollars in the requisition for the construction of these buildings will not stand.[6] Some of the Eastern States have kick'd up about the money. If it was not for fear of the imputation of instability I would as soon as No. Carolina is represented move to adjourn to Philada; perhaps this is at present the properest place at least till we can see our way clearer to the Westward.

Mr. Jay is directed to report the number of Consuls necessary & the places of destination. Some gentlemen are of opinion we may have Consuls witht. treaties.[7] Our friend Colo. Monroe sets out in a day or two for the Indian Treaty at the mouth of the Great Miami: from thence he proceeds to Kentucki on some private business & so through the Wilderness to Virga. From yr. Affect. fd. & Most Obed. Servt. Willm. Grayson

N.B. I imagine you have heard the Consular Convention with France is arrived, but not yet confirmed.

RC (DLC: Madison Papers).

[1] Left blank in RC; no recent letter from Madison to Grayson has been found.

[2] See Monroe to Madison, July 12, note 1.

[3] See Grayson to Washington, July 25, note 5.

[4] Congress' interest in new modes of conveying the mails had been stimulated in April by a petition from Nathaniel Twining, chief proprietor of a stage line from New York to Norfolk, Va., offering to deliver the mails by stages in half the time taken by postal riders, "for much less expense than it now is," and with an attending increase in postal revenue. He later proposed extending his route from Petersburg, Va., to Savannah, Ga. Twining's petition was referred on April 4 to the committee appointed in March to prepare an ordinance for the better regulation of the post office which was also assigned on April 26 a memorial from Udny Hay who was seeking a contract to carry the mail from Albany to Canada. On June 30 the committee's chairman, William Houstoun, moved that the postmaster general be ordered "to report the best terms upon which contracts may be entered into, for the transportation of the several Mails, in the stage carriages on the different roads, where such stage carriages are or may be established." In his report read July 12 Hazard recommended routes only from New York to Albany and from Philadelphia to Petersburg, Va. While admitting that in some cases stage proprietors could "carry the Mails for less than it now costs," he regarded their demands as "exorbitant," and complained of the possible discharge of hitherto faithful postal riders. On July 18 Hazard reported further on several other letters, petitions and reports that he had received, some from competing carriers. Disagreeing with his assessment, Congress ordered Hazard on September 7 to let contracts for the conveyance of the mails by stages from Portsmouth, N.H., to Savannah, Ga., and from New York to Albany. See *JCC*, 28:159n, 231n, 243n, 308n, 365n, 488–89, 29:526–29, 541n, 550n, 684–85; and PCC, item 41, 4:255–57, 10:199–203, item 61, fols. 195–234, item 190, fols. 21, 26. For further clarification of this order, see Charles Thomson to Hazard, October 6. For Hazard's feeble support of the fledgling stagecoach establishments and his eventual dismissal, see Oliver W. Holmes, "Shall Stagecoaches Carry the Mail? A Debate of the Confederation Period," *WMQ*, 20 (October 1963): 555–73.

[5] In fact, the settlers of Kentucky had presented at least five petitions to Virginia and four to Congress between 1780 and 1784 appealing for separate statehood. With its acceptance of Virginia's land cession in March 1784, however, Congress had formally recognized Virginia's authority over Kentucky, for which see these *Letters*, 21:377n.3. When a convention of Kentucky delegates met at Danville in December 1784 they launched

what one scholar calls the "second statehood movement." At their second convention in May 1785, the one to which Grayson is referring, they focused on grievances against Virginia and adopted a declaration of independence. The delegates also called for a third meeting in August to prepare a petition for separation which was presented to the Virginia legislature in October and referred to a special committee chaired by Madison which recommended Kentucky statehood. Madison had also consulted with Kentucky leaders for months on the drafting of a constitution. See Madison, *Papers* (Hutchinson), 8:244n.2, 267, 287n.3, 314, 323n.2, 350–58, 376–78, 441–42, 478; and Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779–1792* (New York: Atheneum; Published for the Institute of Early American History and Culture at Williamsburg, Virginia, 1972), pp. 76–78, 81–105.

[6] See Grayson to Madison, May 1, note 10; and Grayson to Washington, October 3, note 1.

[7] On August 9 Congress had ordered the secretary for foreign affairs "to report the number of Consuls and Vice consuls necessary to be appointed by Congress, and the foreign ports in which they should respectively reside," for which see *JCC*, 29:621; and Charles Thomson to John Jay, October 6.

Richard Henry Lee to Charles Thomson

Sir, Philadelphia August 21st. 1785

The letter that you favored me with on the 18th instant reached me yesterday after the post had left the City, so that the papers enclosed for my signature must be detained until next post day, unless Doctr. Gardener should afford me an opportunity of more quickly conveying them. With the returned papers you will receive also enclosed a letter from the honorable Mr. Rutledge, and one from Lt. Colo. Harmer, both which I received yesterday.[1] I pray you Sir to accept my thanks for your obliging wishes for the recovery of my health, which is certainly better than when I left New York.

I am, with much esteem, Sir, your most obedient and very humble servant, Richard Henry Lee.

RC (DNA: PCC, item 78).

[1] For these letters from John Rutledge and Josiah Harmar, both dated August 1 and read in Congress August 24, see *JCC*, 29:654, 655n; and PCC, item 78, 19:501–3, item 163, fols. 480–82.

Pierse Long to John Langdon

Sr. New York Aug. 21st. 1785

Your Excelly. no doubt in perusing the late Journals of Congress have seen your delegates, negative, to every motion respecting the building a federal Town, our reasons therefor were not because we disliked the measure, But that we supposed ourselves very unable at this time to engage in a matter of such moment, when we were in no

condition to pay the intrest arrising on our public debts—and if the land was to be purchased—and the Town built, it must be done with moneys to be borrowed. It has been suggested that should we miss this oppertunity of erecting this Town on the Deleware, that the southern gentlemen will have influence sufficient to get the permanent residence of Congress on the Petomac. For my part I have no such fears about me, nor do I think it can possibly be admitted by a mind susceptible of consideration—when we reflect that their are thirteen states in the union, Six to the No. Ward, & six to the southwd. of Pennsylvania, that, that state having the castg. vote, will consent that the town shall be built on the Petomac in preference to its being on the Deleware, and until we have another southern State, acknowledged & that cannot possibly be agreed to, I think (unless that power can be ballanced by acknowledging a Northern State) we are very well as we are, and run no risk of going far from the Deleware.

I expect the question for advanceg. money for the purpose of building this Town will soon come forward[1]—and my wishing for advice from your Excelly in this matter has induced me to beg your opinion respecting the same, as soon as you can with convenience. I wrote a letter and Joined my Colleague in another to his Excelly the late President on the subject,[2] but was never so happy as to get an answer, or any directions.

Your Excelly must be convinced that our opposition to this measure arises from a conviction of our inability, only. For you may be assured that were we able no person on earth would be more in earnest to bring about the same. For when Congress has a fixed residence, they will be better respected both at home and abroad—Their Acts & resolves paid more attention to—And the Union so cemented, that a dissolution could not possibly take place.

In conformity to your directions Mr Sullivan was elected by Congress a surveyor of lands in the Western territory for the state of N.H. I did myself the Honr. to advise your Excelly. thereof by Mr Sheafe who left this City 4 or 5 days ago.[3] And by whom the Secy. of Congress has gave Mr Sullivan Official notice that he may proceed on the business of his appointment without loss of time.

I have the Honr to be Your Excelly's Most Obt. Hl. Serv,

Pierse Long

RC (NHi: Miscellaneous Manuscripts).

[1] For the September 22 debate on this appropriation, in the context of ascertaining the Continental requisition for 1785, see *JCC*, 29:734–35.

[2] See New Hampshire Delegates to Meshech Weare, February 27, 1785.

[3] See New Hampshire Delegates to Langdon, August 17.

Samuel Holten to William Gordon

My dear Sir, New York 22d Aug. 1785.

I think I am indebted to you for a letter before, I had the pleasure of seeing you last: but this is to inquire after your health fearing it may have suffered in your late journey.

You may recollect I mentiond to you my opinion respecting altering the confederation, or making farther attempts to do it. And I am more confirmed in that opinion since you left us, from the debates in Congress, upon the necessity of each State being represented by three members, or that three members should always attend Congress while they are sitting; this appears to Congress to be of the greatest importance to our new Government, & unless the States can be convinced of it, & effectual measures taken to keep up a full representation, our federal union will soon tremble to the foundation, & I fear this will be the case before the states will be convinced: the business of Congress, in my opinion, this year, might have been done in six months, and we have been together almost ten, doing the public business, and endeavoring to make a Congress to do it; and a great part of the most important business is still unfinished, & there, for ought I know, must remain forever; but this may be said to be owing to a fault in the confederation. I answer, that will not be allowed by the most observing persons here, for I believe Congress, would be at a great loss what to propose as an amendment if the confederation was now before them for that purpose. Congress have taken several methods heretofore, by writing to the supreme Executives, and otherwise, to bring on the members of Congress, but nothing as yet answers the purpose: a few days since they have come into a number of additional resolutions upon the subject, & ordered a list of the attendance of the several members to be laid monthly before the several Legislators,[1] & to endeavor to convince them of the absolute necessity of their attention to the same and that whatever the consequences may be to the Union, from the States not being fully represented, the members attending have done their duty.

Congress have taken into consideration the conduct of Capt. Stanhope to Govr. Bowdoin, & I hope his Excellency will be satisfied with their proceedings; I would forward him a copy, but it is ordered to be done officially.[2] I believe you was sensible while here, that I had taken pains to have Doctor Rodgers appointed one of the chaplains of Congress,[3] & it gives me satisfaction to find he is so well liked, by the members in general.

The President of Congress being out of health, has taken leave of us for the present, & by a resolution of Congress; a chairman is to conduct

the affairs in his absence, & being honored with the appointment,[4] I do not expect to have the pleasure of making you my personal respects till after the first Monday in November. As you are sensible, I am permitted by my constituents to hold a seat untill that time.

I remain, your obliged friend and humble servant

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] See Charles Thomson to the States, August 24 (second letter).

[2] See Charles Thomson to James Bowdoin, August 20.

[3] Cf. Holten to Nathan Holt, June 23, note 2.

[4] See *JCC*, 29:631. Writing in his new capacity as "chairman" of Congress, Holten this day also wrote the following letter to President Richard Henry Lee, who had gone to Philadelphia for his health.

"The enclosed was delivered me this day in Congress, & by the address I concluded it to be a public letter, & opened the same, but fin[d]ing it respected private business, I immediately folded it, & now have the Honor of forwarding it to your Excellency." Holten Papers, DLC.

Samuel Holten to Israel Hutchinson

My dear Sir New york 22d Aug. 1785.

I have been favoured with your attention of the 23d of July & thank you for the intelligence therein contained. All my correspondents give me nearly the same Account, that there was no intention in the court to cast a slight upon me; but that some particular members were willing that I should be considered as not eligible might be the case, & votes prepared accordingly. The matter has been taken notice of by my particular friends here, and inquiry made for the True reason, & it is said by all that it appears to be a mistake, supposing me not eligible, and that being the case, they say surely the court will set the matter right when they come together again, as they have appointed but five gentlemen when they have a right to elect seven; however, the honorble court will conduct as they think most proper.

Last week, the President of Congress being out of health took leave of us for the present, and in that case a chairman is to be appointed to conduct the affairs in Congress, & the ballots being taken I was unanimously elected. I am sensible of the high honor done me by the united States in Congress assembled & am endeavoring to discharge the important business expected of me but I fear it will be too much for my health this hot weather. Please to make my respects to Mrs. Hutchinson, and & believe me to remain, your obliged friend and humble servant.

FC (MNS: Hiram Putnam Papers). In the hand of Samuel Holten.

David Howell to William Greene

Sir. New York Aug. 22. 1785.

I have the honor to enclose a certificate from the Secretary at War by which it appears that the Widow & children of the late Colonel Christopher Green are entitled to seven years half-pay under the resolution of Congress of Aug. 24, 1780, to commence from the 14th day of May 1781, the time of his death. The same resolution also recommends to the State to make provision for paying this allowance on account of the U. States; as by reference thereto will fully appear.[1]

A regard to the memory of that worthy officer has induced me to make this communication—what measures it may be proper for the Hon. the General Assembly to take on this Subject is submitted, with great deference, to their justice & wisdom, by Your Excellency's most obedient & very humble Servant, David Howell

RC (R–Ar: Letters to Governors).

[1] See *JCC*, 17:773.

Massachusetts Delegates to James Bowdoin

Sir, New York 22d August 1785

In the Letter which We had the Honor of addressing to You the 18th Inst., We acknowledged the Receipt of your Excellency's Letter of the 8th, & have now the Satisfaction of inclosing You the proceedings of Congress on the Subject of Capt Stanhope's disrespectful Conduct towards your Excellency. Congress, conceiving that there would be a manifest Impropriety in entering on their public Journals those proceedings, untill their Effect shall be known, have ordered them for the present to be placed on the secret Journals, & at the same Time, to manifest their Abhorrence of Capt Stanhope's Insolence, & their firm Intention to support to the utmost of their Abilities the Dignity of the Governments of the several States, they have ordered a Copy of your Excellency's Letter & Inclosures to the Delegates, with the proceedings of Congress thereon, to be transmitted to each of the Executives for their Information.[1]

We submit to your Excellency's Consideration the Expediency of ordering Depositions to be taken & transmitted without Delay to Mr Adams our Minister at the Court of London, touching the Conduct of Capt Stanhope in exchanging his Ensign as he passed the Castle—the assaults being made on him by a Sailor who having been a prisoner of Capt Stanhope's during the War, complained of his abuse whilst in

Captivity; the Interference of the Sheriff & Citizens of Boston for the protection of Capt Stanhope & Restoration of good Order: & likewise, any other Facts that may be necessary to support the Application of Congress, & to invalidate any Misrepresentations that may be made by Capt Stanhope.

We have the Honor to be with perfect Respect, your Excellency's most obedt & most humble Servts. E. Gerry.

S. Holten

Rufus King.

RC (MHi: Bowdoin-Temple Collection). Written by Gerry and signed by Gerry, Holten, and King.

[1] See the following entry.

Charles Thomson to the States

Sir, (Circular) Secretary's Office of Congress. August 22d. 1785.

I have the Honor to transmit to your Excellency an Act of Congress touching the disrespectful and indecent Conduct of Captain Stanhope as stated in a Letter of the 8th from His Excellency the Governor of Massachusetts, and Manifested in a correspondence between His Excellency and the said Stanhope.[1]

Although Congress have not thought it expedient to make this a public Act,[2] they have nevertheless ordered a Copy thereof with the Letters to be transmitted to the Executives of the several States, for their particular information.

With great respect, I have the Honor to be, Your Excellency's Most Obedient and Most Humble Servant. Cha Thomson

RC (DLC: Nicholas Van Dyke Papers). Addressed: "His Excellency The President of the State of Delaware." LB (DNA: PCC, item 18A).

[1] For the enclosed "Act" and correspondence between the governor of Massachusetts and Capt. Henry Stanhope of the British frigate *Mercury* stationed at Boston, see Thomson to James Bowdoin, August 20, note.

[2] At this point in the LB, Thomson wrote and lined out: "or to publish it in their daily journal."

Elbridge Gerry et al. to John Adams and Thomas Jefferson

Dear Sir New York 23d August 1785

We have the honor of addressing this by our worthy friend, the honorable Mr. Sayre, who was formerly Sheriff of London.[1]

The active part, which at the commencement of the revolution, he took in favor of America, is, we presume, too well known to you, to require a relation: and the loss he sustained, in consequence of his opposition to the british ministry, is not less a matter of general information.

These considerations have induced his friends, in this quarter, to express a wish that he should be employed in some public office under Congress, wherein he can render service to the United States, in a manner that shall be consistent with his honor, and their interest.

It so happens, at this time, that there is no appointment of that description, to which we can nominate him, but there is an office, which he will probably accept, and the right of filling it, is vested by Congress, in yourself and his Excellency Mr. Adams: we mean the department for conducting the treaty with the Emperor of Morocco, and the other Barbary Powers.

Should you be disposed to employ Mr. Sayre in this business: we think his knowledge of mankind, his polite address, his commercial and political accomplishments, and above all, his sense of honor, and integrity, cannot fail of insuring you as great a degree of success, as the qualities of any other person you can employ in that department.[2]

We have the honor to be, Sir, with perfect respect, Your very humble Servants, E. Gerry. S. Hardy

Rufus King Jas. Monroe

Willm. Grayson

RC (DLC: Jefferson Papers). In a clerical hand and signed by Gerry, Grayson, Hardy, King, and Monroe. RC (MHi: Adams Papers). FC (NHi: Rufus King Papers). In the hand of Elbridge Gerry.

[1] For the transmission of this letter to Adams and to Jefferson by Stephen Sayre August 25, see Jefferson, *Papers* (Boyd), 8:425–26, 442–43.

[2] In his October 11 response directed to Gerry, Jefferson explained that by the time these letters were delivered other arrangements had been made for "the Barbary negotiations," as he and Adams had already entrusted Thomas Barclay and John Lamb with the business. See ibid., pp. 572–73, 604–5.

Samuel Holten to Samuel B. Webb

Dear Sir Tuesday morn [August 23, 1785]

Your polite attention of Wednesday last would have been noticed sooner, had I not intend'd to have done myself the pleasure of waiting on you personally, but find my engagements are such, it may be longer before I see you than I could wish. Mr. Reed has caused your name to be put on the nomination list,[1] as mentiond. by you. I find My Honorable Colleagues, are in favor of one Mr. Robbins of Masstts. as a commissioner for Indian affairs,[2] but I consider it uncertain

whether Congress will appoint another. Please to be assured that it would give me pleasure to render you services.

I remain, with great respect, Your most obedient

FC (DLC: Holten Papers). In the hand of Samuel Holten, and endorsed by him: "Copy of a letter to General Webb 23d Aug. 1785."

[1] No record of Webb's nomination by Jacob Read to any position has been found in the PCC. Webb had been seeking a Continental appointment since March, and Holten had nominated him for secretary at war on March 7. See *JCC*, 28:125n, 127n.

[2] According to Secretary Charles Thomson's committee book, the Massachusetts delegates had nominated a Mr. Robins to fill the position of commissioner for Indian affairs in the room of Arthur Lee. See *JCC*, 29:626n; and PCC, item 190, fol. 4. Obediah Robins was a merchant trading with the Indians at Sandusky during this period. PCC, item 41, 8:347–52.

David Howell to William Greene

Sir, New York Aug. 23, 1785.

In pursuance of the instruction of the Hon. the General Assembly a motion has been made in Congress by your delegates for the settlement of the accounts of Mr. Thomas Greene.[1]

As to any loss, or derangement of accounts or vouchers the resolutions of June 3, 1784 seemed to your delegates to vest the Commissioners with every necessary power to enable them to do justice;[2] and these powers of Chancery are, by subsequent resolutions expressly extended to the Commissioner of army accounts, & to the Commissioners for settling the accounts of the five great departments: The only necessary additional measure seemed to be that the Commissioner for the State should be authorised to settle Mr. Greens accounts which by the existing arrangements of Congress ought to be settled by the Commissioner for the department under which the accounts arose.

A resolution to this effect was obtained one day & repeated the next day as the journals will discover; and the motion of your delegates finally referred to the Board of War to report, & their report has not yet made its appearance.[3]

The settlement of accounts as well those exist[ing] betwixt the several States & the U. States, as those existing betwixt individuals & the U. States is an object of great extent & importance & engages much of the attention of Congress. Individuals contribute to the public exigences with great reluctance while they are not only kept out of the principal & even interest due to them from the public, but cannot even obtain a settlement of their accounts: And an apprehension in each State almost in the Union that they are in advance compared with their Sister States retards, or prevents those exertions which are

necessary to put them in capacity to send forward annually their Quota to the Common Treasury.

To a settlement of accounts betwixt the several States & the U. States it ought to be remembered that a fœderal rule of apportionment is indispensable. It therefore becomes necessary for every State to decide whether they will adhere to the rule established in the eighth article of the Confederation; or adopt the alteration recommended on the 18th day of April 1783.[4]

It has been & still is my private opinion that the whole, instead of three fifths of the Blacks ought to have been taken into the estimation. In that case the rule might have approached so nearly to justice as to have been admissible, especially as it has a superior facility in Execution: But whether it ought not even as it is to be adopted in preference to no rule—or the hazard of delay & embarrassment in all our pecuniary operations is a question of policy & which is, in my humble opinion, entitled to a very serious consideration. I am happy that I shall be readily pardoned for not giving my advice on this Subject.

An attention to the actual Situation & population of the Southern States where the blacks are most numerous will suggest a probability that in time the proposed rule of apportionment will become less objectionable. After you leave the Sea cost, the moist & intervail lands near the mouth of the great rivers & pass on westward towards the mountains & more especially over the mountains westward, the lands are cultivated by white people, whose method of life & manners are similar to the middle & northern States, from which they are mostly supplied with settlers. So that the number of blacks compared with the whites even in those States will probably diminish in future. And for the sake of humanity this is greatly to be desired. Should a wise policy discontinue the importation of blacks their *ratio* to the whites will on this account also diminish—And even the ratio of the States, in which the blacks are numerous, to the aggregate of the U. States will gradually diminish as the tide of population rolls westward & new States arise peopled from Europe where the Slavery of the blacks is unknown, or from the northern States where it is reprobated. On all these accounts the proposed rule of quotaing the States will probably in future approximate to justice.

In this as in many other cases a choice of difficulties only presents itself. As it happens this is only a question of property which does not affect the Liberties of the States. The consequences therefore may be faced with less reluctance.

The reception of the Hon. Mr. Adams as Minister plenipotentiary at the Court of London has been announced in the public Newspapers. From the communications he has made to Congress it appears that his reception & treatment hitherto has been unexceptionable; but no

conjecture can be founded as to the probable success of his negotiations. Common report says that the Western posts will be given up before next Spring. While the British hold possession of those posts the fur trade will be forced through Canada; but the natural channel for it is through the U. States. And it is well known to be a very profitable trade. While these posts are held by the British too the Indians will hardly be prevailed on, by seeing only paper & parchments, to believe that the U. States are in fact the Sovereigns of that Country; hence it is that ill minded people, who have studied to disquiet the minds of the Indians & frustrate our designs as to sale of the Western lands, have so far succeeded as to induce several of the Sachems of the six nations to apply to Colonel Harmar, commanding officer of our troops to the westward, to take back the original instruments of the two late Treaties, alledging that they had been informed that they were imposed on at those treaties when they were told that the Great king over the Water had ceded that Country to the thirteen fires, &c. But after interchanging a friendly talk they returned to their homes apparently satisfied.[5]

Another object of Mr. Adams's mission & which is of principal importance is to obtain a commercial Treaty with the British nation founded on principles of reciprocal advantage. One great obstruction in his way, it is apprehended, will be the incompetence of the powers of Congress to make specific & effective Stipulation for reciprocating commercial advantages with the other party. It seems to be the opinion even of Congress, or of a great majority thereof that they ought to be vested with power to regulate commerce generally. Many propositions & plans have been suggested. One is an alteration of the confederation so as to vest Congress with the power of regulating trade without limitation of time. Others propose a limitation of 25—15— or 10 years: Others have proposed that a navigation act be framed & laid before the Legislatures of the several States for their adoption for a term of years. Others there are, who are of opinion that we can go on very well in the present way. They say that the produce of the Southern States, being delivered from British monopoly & admitting to the ports the competition of all the World, fetches as good a price & frequently more & better pay than it did before the revolution. And they fear that the consequences of a navigation act, or of power to regulate trade in the hands of Congress might eventually be throwing a monopoly of the carrying trade into the hands of a few States, who would set their own price also on the produce to be exported, whereby they apprehend a very great injury to the Southern planters. Amidst

this division of sentiments & clashing of interests little is to be expected from the deliberations of the present Congress on this Subject. The voice of the people must come forward & give birth to some System.[6]

Some days ago the President of Congress asked permission to make a tour in the Country for the benefit of his health. He proposes to visit the calybeate waters in Pennsylvania & to return in two or three weeks. At present only seven States are represented in Congress. Letters have been lately written to the delinquint States & a fuller House is expected soon.

It is about three weeks since my Colleague has been confined to House & of course the State has not been represented: He is now happily recovering & expects to take his seat soon.[7]

Having been in hopes of returning before now I have made no application lately for money. I am now reduced to my last penny, nay I have not enough to pay my debts here. I am therefore under the necessity of requesting that effectual measures may be taken by the State to forward me some Cash by the first oppertunity.

I have not enclosed a copy of the journals as I conclude they are regularly transmitted to your Excellency every month by the Secretary of Congress.

With the most perfect consideration, I have the honor to be Your Excellencys most obedient & very hble Servt. David Howell

RC (R–Ar: Letters to Governors).

[1] See *JCC*, 29:520–21; and Howell to Jabez Bowen, June 24, note 3.

[2] See *JCC*, 27:541–45.

[3] The motion was referred not to the board of war but to the board of treasury, which reported June 12, 1786. See *JCC*, 29:521, 523–24, 30:17–19.

[4] Congress had recommended apportioning Continental expenses "in proportion to the whole number of white and other free citizens . . . and three-fifths of all other persons . . . ," revoking the section of Article 8 apportioning quotas on the basis of the valuation of land. See *JCC*, 24:260.

[5] Transcripts of several speeches by three chiefs of the Six Nations delivered at a council held at Fort Pitt July 12, and Lt. Col. Josiah Harmar's July 14 response to the fears therein expressed are in PCC, item 150, 1:63–68.

[6] After unanimously rejecting the proposed Continental impost amendment of 1781 in November 1782, the Rhode Island Assembly had gradually come to realize the folly of attempting to compete commercially with Britain without the semblance of a federal trade policy and by early 1785 had adopted both the impost amendment of 1783 (by a vote of 49 to 18) and an act granting Congress full authority to regulate foreign trade. For discussion of this remarkable about face and the impact of depression on the state, 1784–86, see Irwin H. Polishook, *Rhode Island and the Union, 1774–1795* (Evanston, Ill.: Northwestern University Press, 1969), pp. 107–11.

[7] William Ellery was unable to attend Congress August 5 to September 8. See *JCC*, 29:612, 684, 686–87.

Rufus King to John Quincy Adams

Dear Sir New York 23d. Augt. 1785

I have this morning received a Letter from Col. Smith[1] by a merchant ship from London, covering to my care the accompanying Letter from your sister[2]—the Packet has not arrived, and no public Letters are received from your father by this Opportunity.

I pray you to command my best services in transmitting any letters to your family or friends in London, and as the Packets are established at this port it may be more convenient and expeditious to correspond with your friends abroad through this place than in any other mode.

I hope you found Do[r]chester and Boston as agreeable as you left them, and that the sincerity, & unceremonious manners, of your country men, will be a compensation for the Gaiety, and numerous amusements which you left in Europe.[3]

With sincere esteem your obedient servt. Rufus King

RC (MHi: Adams Papers).

[1] William Stephen Smith, secretary to the American legation at London.

[2] Abigail Adams.

[3] Young Adams, now 18, had recently returned to America, after an European sojourn of more than six years, to take a degree at Harvard and prepare himself for the bar. *DAB;* and Adams, *Diary* (Butterfield), 3:180.

Massachusetts Delegates to James Bowdoin

Sir, New York 23d August 1785

We had the Honor under the 18th Instant, to inform You *generally* that the Dispatches received from your Excellency, to that Date, were disposed of agreably to your Communications. Having a leisure Moment, which is not often the Case, We shall be more particular at this Time in our Answer to your Excellency's Letters.

We have delivered to Congress the Act of the Legislature for altering the 8th Article of the Confederation:[1] their Resolve respecting Samuel Stearns:[2] another Resolve authorizing Congress to appoint Commissioners, for running a boundary Line (therein described) between the States of Massachusetts & New York, the Delegates Whereof have met on the Business but have not yet been able to agree on suitable persons for the purpose mentioned:[3] a Copy of Governor Carltons Letter respecting the eastern Boundary of Massachusetts, a Report relative to which, being now on the Files of Congress, We shall call for, as soon as nine States, which rarely meet in Congress, shall again be represented.[4] We have also delivered to each Delegation, the Act of Massachusetts for

regulating foreign Commerce, & urged the Necessity of similar Measures, to be adopted by the Legislatures respectively.[5]

The three Letters from your Excellency to Governor Clinton are likewise delivered, & agreably to your Request, We have conferred with him on the Subject of that which respects the Sale of Lands claimed by the two States.[6] As the Governor's part in this Matter is merely executive, he can do nothing but communicate the same to the Legislature: & assures Us, that this shall be done at an early period. The Governor conducted with his usual Candour on this Occasion; he nevertheless appeared to be strongly impressed with the Idea, that as Massachusetts were *merely* Claimants of the contested Lands, & New York not only claims but have ever been in possession of them, there is a manifest propriety in the Conduct of the latter, in continuing to administer Government & to dispose of the Lands, untill a Decision shall be made in Favour of the former. We endeavoured to shew the Impropriety of such Conduct, by stating to him amongst other Considerations, that if the Decree of the fœderal Court shall be in Favour of Massachusetts, the State must adopt one of these disagreable Alternatives: they must either confirm those unconstitutional & illegal Grants of New York at the Expence of the Value of the Lands so granted; or annulling the Grants, be under the Necessity of constraining & perhaps of coerceing the Grantees to relinquish their Claims under New York: unless the Legislature thereof should consent to a Measure not to be expected, a Reimbursement of the Money (excepting Charges) which may arise from the Sales: & even in this Case, Massachusetts might be dissatisfied both with the Sales & Expence attending them. We likewise suggested to the Governor, that in the Case of Vermont, Congress were expressly opposed to a sale of the contested Lands; that if the State of New York should be permitted to proceed in this Business, the Settlers under those Grants would probably be so prejudiced against the Government of Massachusetts, as to produce such unfortunate Consequences as those which resulted from the inveterate Hatred of the Wyoming Settlers to the Pennsylvania Grantees: We likewise hinted to the Governor, that Massachusetts being desirous (let the Result of the fœderal Court be pro or con,) to preserve Harmony with N York, had taken mild steps at the Commencement of this Business, but that if the latter should persist in her Measures, the former would probably issue a proclamation forbidding Settlements under the Authority of N York, & would also remonstrate against her proceedings.

Your Excellency is undoubtedly informed that Mr Royal Flynt is proposed by the Board of Treasury, as a Commissioner to liquidate the Accounts of the U. States with Massachusetts. We have no Knowledge of his Character but what is derived from Letters to the Board from

General Knox, & Colonel Wadsworth: they speak of him in high Terms, as a person of Integrity, abilities & Assiduity, & our Confidence in him is established by their Opinion. We have communicated to the Board, "the Sentiments of the Committee for stating & methodizing the publick accounts" & also your Excellencys Desire, that the Commissioner abovementioned, should attend his Business in Boston untill the Accounts referred to are adjusted: & We have no Reason to doubt, that the Board will make the necessary Arrangements.

We observe that the honble Legislature are concerned to find "that some States in the Union have paid no part of the last requisition of Congress, & that others have applied Monies raised for the Use of Congress to other purposes." We felt a similar Anxiety, previous to the Receipt of your Excellency's Letter, when the Requisition of the present Year was under Consideration, endeavoured to have this Matter so conducted as to guard against those Evils. Should We succeed in our Measures, & a sufficient Number of States be collected to pass the Requisition, We flatter Ourselves the Evils will be principally remedied. We have therefore tho't it best to defer a Remonstrance against the Departure of States, from the Applications made by Congress of Monies raised in pursuance of their Requisitions, lest the Harmony of Congress should be interrupted & the Requisition of this Year be negatived.

We shall most assuredly discharge our Duty in promoting public oeconomy & in satisfying public Creditors; as well as in preventing foreign Loans, to which unless indispensibly necessary, We have been ever averse.

We are happy to find our opposition in the first Instance to a standing Army, approved by the Legislature: being clearly of opinion, that should such a power vest in Congress, it would sooner or later terminate in the Subversion of our Liberties.

Inclosed is the Copy of a Resolution of Congress for obtaining from the States such of their Acts as respect the united States.[8] We think it necessary that the Communication of the Acts of Congress & of the Legislature of Massachusetts should be made by the supreme Executive & the Delegates of the State for their Information respectively; but this Communication will on the part of the Delegates be often impracticable, as their Engagements, without the Assistance of a Clerk, will not admit thereof.

We have the Honor to be with perfect Consideration your Excellency's most obedt & very humble Serts,

E Gerry

S. Holten

Rufus King

[*P.S.*] The Resolution of Congress of the 27th of July last, referred to in the above paragraph, having been transmitted by the Secretary, (as he informs Us) is omitted on the present Occasion.

RC (M–Ar: Senate Documents). Written by Gerry and signed by Gerry, Holten, and King.

[1] This July 2 Massachusetts act, authorizing the states' delegates to sign an amendment to the confederation altering the basis of determining quotas from the value of land to population, was read in Congress July 25. See *JCC*, 29:572; and PCC, item 74, fols. 225–28.

[2] The Massachusetts Assembly was challenging Samuel Stearn's appeal of his conviction for "the infamous crime of fraud in knowingly passing counterfeit money," and the enclosed July 2 resolve reaffirmed the state's support of Stearn's conviction. It was laid before Congress on July 25. See ibid., fols. 225–28; and *JCC*, 29:574n.

[3] This June 29 Massachusetts resolve was read in Congress on August 22. Its precise disposition is unclear from the surviving records, but Congress resolved on September 29 to appoint commissioners to run the boundary between Massachusetts and eastern New York and on December 2 appointed John Ewing, Thomas Hutchins, and David Rittenhouse for this purpose. See PCC, item 74, fols. 221–24; *JCC*, 29:650, 781–86, 795n, 860n, 898; Massachusetts Delegates to Bowdoin, November 6; and Charles Thomson to John Ewing et al., December 10, 1785.

[4] Transcripts of Thomas Carleton's June 21 letter to Governor Bowdoin are in PCC, item 81, 1:401–2, item 121, fols. 153–54. For Congress' response to the report on this letter from the governor of New Brunswick, see Massachusetts Delegates to Bowdoin, September 20, note 1.

[5] Incensed over the recent gains of British commerce at the expense of local merchants, Massachusetts was urging a common response for regulating foreign trade, seeking both a long-range augmentation of congressional power over trade and the immediate imposition of restrictions on foreign commerce by her sister states. Hoping that the Massachusetts Assembly's June 23 "Act for the Regulation of Navigation and Commerce" would become a model for other states to follow, Governor Bowdoin had both instructed the state's delegates to distribute the act to the other congressional delegations and enclosed copies of it with a July 28 circular letter to the state governors, for which see *N.C. State Records*, 17:476, 494–95; *Bowdoin and Temple Papers* (MHS Coll.), 6:63–65; and *Acts and Laws, Passed by the General Court of Massachusetts: Begun . . . the Twenty-Fifth Day of May, Anno Domini, 1785,* DLC(ESR). For the state's simultaneous effort to mute the consequences of interstate rivalries by obtaining the repeal of a recent Connecticut act exempting foreign imports from certain duties required of the several states, see Governor Bowdoin's July 27 letter to the governor of Connecticut, *Bowdoin and Temple Papers* (MHS Colls.), 6:62–63. For Massachusetts' efforts to revive its foreign trade in the post-war world, see William M. Fowler, "'Trye All Ports': The Port of Boston 1783–1793," Conrad E. Wright, ed., *Massachusetts and the New Nation* (Boston: Massachusetts Historical Society, 1992), pp. 39–44.

[6] One of these letters, dated July 18, 1785, enclosing the Massachusetts Assembly's protest against the impropriety of New York's decision to proceed with the sale of western lands within the area claimed by Massachusetts, is in ibid., pp. 58–60; and Clinton, *Papers* (Hastings), 8:393–95. See also Massachusetts Delegates to Bowdoin, October 9, note.

[7] Flint's appointment was not entered on the journals of Congress, but other documents among the papers of Congress indicate that he, in addition to William Imlay, was named commissioner of accounts for Massachusetts. See PCC, item 141, 1:89, 2:407.

[8] For which see Gerry's postscript and Charles Thomson to the States, July 28.

Charles Thomson to John Jay

Sir August 23 1785

The enclosed Letter was this Day received and read in Congress, as

it contains a conjecture which if well founded may be important,[1] I take the Liberty of communicating it to you, and am Sir, Your Obet. hble Servt., (signed) Charles Thompson

Tr (DNA: PCC, item 120).

[1] Thomson's enclosure was the following extract from a June 15 letter from William Stephens Smith, secretary to the American legation at London, to the president of Congress, which is in PCC, item 92, fols. 9–10, and item 120, 1:417.

"Being convinced of the safety of this conveyance, I must inform your Excellency, that the preparations made by Spain for the ostensible purpose of attacking the Algerines may possibly be made use of in the Florida's and present themselves as a check to the navigation of the Mississippi, which the settlers of the back Country we are informed are pressing for with great avidity however this with me is mere matter of Conjecture founded on the ung[u]arded expression of a Spaniard."

Rufus King to Daniel Kilham

My dear friend New York 24th Aug. 1785

I am uneasy that you should write to me in the stile that you do; I flatter myself that you examine the dark side of your prospects, without refreshing your vision by turning to those objects, which are more fully illuminated, and may be truly the sunshine of your fortune.

You will not suspect me of saying the thing, I do not clearly discern, when I declare that any sentiment of dispondency is wholly unworthy of you—and that if you will with candor examine the men of your friends, or acquaintance, you will find that comparing, abilities, by or improvements, theirs by no means throw you behind them.

I fear the little trifling dispute of last winter remains too long on your memory; for a moment consider how insignificant the whole affair really was, satisfy your-self that it ought not to employ your thoughts for a moment, and resolve to forget it.

I wish you would be more explicit with me, I assure you Kilham I am interested in your concerns. If you can by communicating your sentiments to me, derive any possible advantage, you will injure my friendship, if you do not give me the opportunity of evincing to you how sincerely I esteem you.

When I shall meet you is wholly uncertain, I fear not so soon as I could desire. I am in a situation which perplexes me; was I a man of moderate fortune, I would follow my present pursuit; for I think I could do it, with honor, and with a prospect of some service to my country—but if this opinion should prevail I must abandon my profession, by this I could live with convenience, in peace, and without hazard—leaving this quiet prospect, I find much at hazard and little certainty, except constant vigilance & numerous enimies, for Parties will Exist.

I am undetermined—at present adieu, love me as I love you; think for me; you are my friend, you know every think concerning me, and can judge perhaps more justly than I myself can.

Again Adieu. RK

RC (NNC: King Collection).

Charles Thomson to the States

(Circular)

Sir, Office of the Secretary of Congress, August 24th. 1785

I beg leave to remind your Excellency that all the calls which Congress have heretofore made on the States for money or supplies have been on this express condition, that the sums or supplies assessed should not be considered as the proportion of any State, but that being paid or furnished, they should be placed to their respective Credits, bearing an interest of six per Cent per Annum until the quota should be finally ascertained and adjusted by the Congress of the United States agreeably to the eighth of the Articles of Confederation—And if then it should appear that any State had been assessed more than its just quota, it should continue to receive interest on the surplus, and if less it should be charged interest on the deficiency until by a future tax such deficiency shall be properly adjusted.

From the progress that is made in settling the Accounts between the United States and individual States and private Creditors within the same, and the measures taken to hasten & facilitate the progress of such settlements, there is reason to hope that this great work will soon be compleated. And as almost every State seems to think its advances have exceeded its just proportion, it is therefore become necessary and essential to the harmony of the Union that Congress should be furnished with the means of settling the proportions to be borne by each State as well of the general expences of the War and the requisitions made since the conclusion thereof, as of the sums which may from time to time be requisite for the common defence and general welfare. To this end I beg leave to call your attention to sundry Acts of Congress on this subject, which you will find enclosed—Viz. One passed 20th February 1782,[1] which is founded on this consideration, that the States having been variously affected by the War, the rule of the Confederation strictly adhered to might not produce that equal justice, which is desireable in this important object. One of the 17th of Feby 1783[2] which calls for a return of the quantity of land in each State granted to, or surveyed for any person, the number of buildings thereon, distinguishing dwelling houses from other buildings—and

the number of Inhabitants, distinguishing white from black. And one of the 18th of April[5] recommending an alteration of the 8th of the Articles of Confederation, and perpetual union, and the adoption of a new rule of ascertaining the quotas of the States. This is comprehended in the act, and is a part of the plan at that time recommended to the States, for restoring and supporting public credit; for obtaining permanent and adequate funds, to discharge the Interest and principal of the debt contracted and for providing for the future exigencies of the Union.

The necessity of a rule to apportion the common expence, and the difficulties, delays and expence in the way of obtaining that pointed out by the Confederation, induced Congress to recommend this change; and the rather as the number of Inhabitants, at least of the white Inhabitants, is required for other purposes of the Confederation. Besides it was conceived, that this rule would do more Justice, and produce less discontents among the States; and, although not altogether free from objections, that it was liable to fewer than any other, that could be devised; and that therefore the application of it, to ascertain the quotas of the State, would supercede the necessity and save the expence and trouble of making a valuation of the lands, with the buildings and improvements thereon.

The favourable reception this recommendation has met with, induces a belief, that this alteration will be finally adopted.

By examining the files in this office, I find that eight States have agreed to it—namely Massachusetts, Connecticut, New York, New Jersey, Pensylvania, Maryland, Virginia, and North Carolina. And it is suggested, that other States have adopted it, although the returns are not lodged in this office. But if all the States had agreed to adopt it, still it would be necessary for them to proceed a step further, and to make returns of their respective numbers, before Congress can apply the rule. I must therefore request, that Your Excellency would be pleased to bring this subject again under the view of the Legislature of your State, and earnestly recommend to them, *if*[4] as they have *not already* authorised their Delegates to subscribe and ratify the alteration recommended, *to come as soon as possible to a determination thereon—and if they have,* to take speedy and effectual measures for numbering the Inhabitants, and make a return thereof to Congress.

With respect to the other part of the plan, contained in the Act of the 18th of April, as it is not the immediate object of this letter, I shall only refer to the Address which accompanied it, and which You will find enclosed—and beg leave to add this single observation, that every days delay encreases the embarrassments of the Union; and experience evinces how well Congress were founded in the opinion they

gave on the 12th of Feby. 1783—"That the establishment of permanent and adequate funds on taxes or duties, which shall operate generally, and on the whole in just proportion, throughout the United States, are indispensably necessary towards doing compleat Justice to the public creditors, and for restoring public credit."[5]

I will not at present detain You farther than to request, that Your Excellency will be pleased to favour me with an answer, that I may be enabled to make report, and discharge the duty required by the enclosed ordinance for regulating the Office of the Secretary of Congress.

With the greatest respect, I have the honor to be, Your Excellency's most obedt & Most humble Servt.

LB (DNA: PCC, item 18A).

[1] See *JCC*, 22:83–84.

[2] *JCC*, 24:133–37.

[3] *JCC*, 24:259–61.

[4] To clarify the remainder of this sentence, Thomson wrote the following instruction to his copyist at the foot of the letter: "to the 8 [states] that have complied leave out the words underscored & substitute *as* for *if*."

[5] Cf. *JCC*, 24:126–27.

Charles Thomson to the States

(Circular)

Sir, Office of the Secretary of Congress, August 24th 1785

I have the honor to transmit to your Excellency sundry Acts[1] of the United States in Congress assembled, touching the representation of the State and have to request that you would be pleased to lay them before the Legislature of your State and assure them that agreeably to the order contained in the Act of the 17th instant, I shall transmit monthly for their information a state of the representation in Congress.[2]

With great respect, I have the honor to be Yours &c. C.T.[3]

LB (DNA: PCC, item 18A).

[1] That is, of November 1, 1783, and April 19, 1784, for which see *JCC*, 25:790–91, 26:245–46; and Thomas Mifflin to the States, April 22, 1784.

[2] See *JCC*, 29:631–33. For the monthly attendance lists that Thomson began to transmit regularly to the states pursuant to this act, see the enclosures at Thomson to James Bowdoin, September 6, and to the States, October 25, 1785.

[3] The copy of this letter that Thomson sent to New Jersey governor William Livingston also contained the following introductory paragraph: "I have received the Letter you did me the honor to write on the 14th and regret your want of power to enforce the attendance of the Delegates for your State, which still continues to be unrepresented." PCC, item 18A, fol. 134.

Elbridge Gerry to Samuel Hodgdon

Dear Sir, New York 25th August 1785

I am favoured with yours of the 23d & Mr Fox has been so obliging as to deliver the Watch. The Expence of Repairs & small Ballance due before shall be paid to Mr Peirce: I left in March last the latter with Mr King & desired You to deduct it from his Draft, but your selling mine & sending me his to replace the Money, occasioned the Error. I suppose this to be the Case & shall enquire of him whether or not I am mistaken.

You have at the Bottom of Your Letter added a few Words which I am at Loss to understand. They are these "We wait your Choice of Men in Willings Affair.[1] Time is losing We conceive." I wrote You the 1st Instant that if Mr Willing within ten Days would pay me the principal of my Demand, & We should agree on Gentlemen to determine the Question of Interest, I would give You Information, that the Suit may be dropped, he paying the Charges thereof. But I have never heard a Word from You on the Subject, till this Morning, which induces me to suppose, that either my Letter to You, or yours to me has been intercepted, or that some Chicanery is adopted to stop the process. Pray inform me by the next post how this Matter is circumstanced, for I mean not to refer it in Philadelphia, as I cannot attend the Referrance, neither will I consent to any Referrance untill I am paid the principal of my Demand. Inclosed is a Copy of my Letter, And the Conditions therein stated are such, & such only as I can consent to.

"Nuptials" is a Word almost out of Vogue but I expect to be such an old fashioned Character as to m——y. Adieu my Complimts to Colo Pickerng & be assured I am Your Friend, E Gerry

[*P.S.*] If any of our Letters by the post office have been intercepted, pray send Depositions thereof; for I have been so often insulted in this Way, that I shall prefer to Congress a Complaint against the Officer.[2]

RC (DNA: RG 93, no. 30064).

[1] See Gerry to Timothy Pickering and Hodgdon, July 11.

[2] Gerry also wrote the following letter to Hodgdon the next day.

"I wrote You yesterday by Doctor Jackson, & should this reach You before the other, I must request you will send for the latter in order to answer it by the next post.

"Pray inclose me Copies of my two Letters in February or March last, wrote just before my Return to Massachusetts. I want them to ascertain the point respecting the 12 Dollars, which are supposed to have been left with Mr King. Each of Us have some Recollection of the Matter, but it is imperfect." RG 93, no. 30061, DNA.

The "two letters" Gerry had in mind were apparently the following note of February 28 and another mentioned therein sent "by the last post" which has not been found. "I have received this Morning a Bill from Boston, which renders the negotiation of that Which I sent You by the last post unnecessary, in Consequence of which I shall take it as a Favour if You will deface the Bills & inclose them to me at Boston. This You may do if

they are actually engaged, because my Friend King will send a Draft for the same Amount by them or the next Post, & You may rely on the punctual payment of his Drafts." RG 93, no. 29966, DNA.

Samuel Holten to James Bowdoin

Sir. New York 25 Aug. 1785

I am requested, by the delegates of N.H, to forward the enclosed to your excy. with a desire that you would cause it to be delivered to Mr. Dowse.[1]

With perfect respect, I have the honor to be, your excys most obedt. servant.[2]

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Enclosure not identified, but Edward Dowse was elected Continental surveyor for New Hampshire, after Ebenezer Sullivan had declined the appointment, on August 24. See *JCC*, 29:654, 679n. See also Holten to Bowdoin, September 3.

[2] Holten also wrote the two following letters, both dated "Brooklyn 25th Aug. 1785," to the Rev. Dr. Richard Channing Moore concerning servant wages, drafts of which are in the Holten Papers, DLC. "I have been favored with yours without date," Holten wrote in the morning, "& by way of answer say, Jerry [Sheldon] left my services more than three months since, & I then paid him all his wages. Fowler is not properly a servant of mine, but will be the bearer of this, & I conclude, will discharge his account."

To this Moore responded almost immediately. "Your favor of this Morning has produced me more uneasiness than you can readily imagine. I was fearfull at the time I took the liberty of writing you on the subject, that you would misconstrue my intention." General Theological Seminary of the Protestant Episcopal Church, New York, N.Y. And to this Holten responded: "Yours of this day has been delivered to me, & I am at a loss to know, what there was in mine of this morning that could possibly give you uneasiness, for I assure you it was far from my intention. In your first you are pleased to mention my stoping out of my servants wages two small sums due to you; in answer, I observed that one of them had left my service more than three months since & that I had paid him all his wages, & therefore, I concluded you would be sensible I could not do it in justice to myself however, I might be disposed to oblige you, the other I mentioned as not being properly my servant but would be the bearer of my letter, & I concluded, by what he said, he was disposed to settle his account, and therefore it would be unnecessary for me to add any thing more upon the subject; I am also at a loss why you should think I had misconstrued your intention for I assure you, it would give me sensible pleasure, to render you services, in this or any other matter."

James Monroe to Thomas Jefferson

Dear Sir New York August 25th. 1785.

Since my last nothing very material hath taken place here. I leave this mearly to inform you of my departure hence for the Indian treaty on the Ohio wh. will be in abt. two hours.[1] The {two commercial propositions}[2] are as they were.[3] {Although Congress will I believe not



James Monroe

adjourn yet} I apprehend {the business of consequence} will be postpon'd for the present, perhaps till the winter. There is but {a thin representation of the states & of course} not the {ability if the inclination to act on these subjects}. I intend to take within my view the country lying between lake Erie & the Ohio, the Ohio & the Potowmack or Jas. river, as it may suit me to return by the northern or southern part of the State. I pass thro' Lancaster & Carlisle at the latter of wh. posts I join Genl. Butler. The people of {Kentucky} intend I hear to petition the legislature for a {seperation}.[4] I must confess I am one of those who doubt the policy of this measure (for I make no doubt it will be granted) either upon {state or federal principles}. My opinion is we cod. so model our regulations as to accomodate our {government} to their convenience, and unquestionably the more we {diminish the state the less consequence she will have in the union}; on the part of {the union} or rather {the states} upon {the Atlantic} it is in my opinion their policy to keep a prevailing influence upon {the Ohio or to the westward}. What {unites us to them or rather they to us when the Mississippi shall be open?} Remov'd at a distance from whatever may affect us beyond the water {they will} necessarily be but little interested in whatever respects {us}; beside they will out-number {us} in {Congress unless we} confine {their number as much as possible}. In my opinion this matter shod. be well investigated before any measure is hastily adopted. I direct your letters to be forwarded to me to Fredricksburg. So soon as I return to the settled country I shall advise you of it & am your affectionate friend & servant, Jas. Monroe

RC (DLC: Jefferson Papers).

[1] Monroe undoubtedly left New York before Congress met the 25th, as he does not mention the adoption this day of a report he had drafted altering John Jay's instructions for negotiating with Don Diego de Gardoqui in which free navigation of the Mississippi River was specifically insisted upon. See *JCC*, 29:657–58.

[2] Words printed in braces in this text were written by Monroe in cipher.

[3] See Monroe to Jefferson, April 12, notes 4 and 5.

[4] See William Grayson to James Madison, August 21, note 5.

Charles Thomson to Sundry Printers

To the Printers

Office of the Secretary of Congress, August 26, 1785.[1]

The United States in Congress assembled, intending to have a new, correct, and complete Edition of their Journals; the Printers in the several States are hereby requested to send to this Office, on or before the First Monday in November next, the Terms on which they will engage to publish the said Journals, and to deliver One Thousand Copies thereof.

The Person or Persons contracting must engage to have a complete Index made for the Whole, from the Beginning to the First Monday in November, 1785, and inserted in the Volume ending at that Time.

The Edition must be in folio, and bound in Boards.

The Proposals must mention the Time when the Work can be entered upon, and the Quantity which can be composed daily; and be accompanied with Specimens of Paper and Types.

The Work to be carried on at the Place where Congress resides, or within such Distance thereof as shall be determined by the Secretary of Congress, who is to superintend the Printing, and to revise the Proof-Sheets.[2] Charles Thomson, Secretary.

MS not found; reprinted from *The United States Chronicle: Political, Commercial, and Historical* (Providence, R.I.), in PCC, item 46, fol. 250.

[1] Thomson had this letter inserted as an advertisement in various newspapers pursuant to an order of Congress of this date, which had its origins in a committee report referred to him on June 1 and considered and reaffirmed on June 20 and 28. See *JCC*, 28:243n, 412, 471, 486, 29:663n; and PCC, item 123, fol. 26.

[2] This appeal elicited responses from at least nine printers—James Adams (Wilmington), Francis Childs (New York), Charles Cist (Philadelphia), Isaac Collins (Trenton), John Dunlap (Philadelphia), Shepard Kollock (New York), Samuel Loudon (New York), Eleazer Oswald (Philadelphia), and Bennett Wheeler (Providence)—whose proposals for printing a new and complete edition of the journals of Congress are in PCC, item 46, fols. 179–280, and have been discussed in Edmund P. Dandridge, "Proposals of Nine Printers for a New Edition of the Journals of the Continental Congress, 1785," University of Virginia, Bibliographical Society, *Studies in Bibliography* 2 (1949): 189–96. Thomson's recommendation that these proposals be referred to committee for evaluation was eventually adopted on December 28, and the committee subsequently reported on January 30, 1786. Congress' failure to act on the committee's recommendations was undoubtedly the product of its poverty, as the expense of a new edition of the journals would greatly exceed its resources. It was later decided that Thomson instead simply procure a printed index to the journals already printed, but this August 15, 1786, directive also came to naught. See *Studies in Bibliography*, 2:196; and *JCC*, 29:895, 30:29–30, 31:520.

Samuel Hardy to Patrick Henry

Dear Sir. New York 28th August [17]85.

I was honored with your Excellencys favor by the last post.

It affords me pleasure to hear that your health is amended, I very much hope that your excursion will be productive of benefit fully equal to your own expectations & the wishes of your friends.

I have conferred with Colo Grayson on the subject of procuring a loan from Holland for the purpose of discharging our public debt in Virga. He does not seem to approve the idea of incurring a foreign debt; but concurred heartily in the propriety of appointing Doctr. Lee to the Hague. But however such a nommination may be favoured by

the wishes & efforts of the Virga Delegation I am induced to doubt of its success. On consulting Maryland I found they had it in Contemplation to nominate Governor Paca & seem'd to have calculated on us, in consequence of their union with us in the election of Mr Lee to the Office he now holds.[1]

Rhode Island would join us with pleasure; but the Committee of qualifications are unanimous in the Opinion that the time of that Delegation has expired, & I expect daily there will be a vote of Congress to that effect.[2] On the other States to the Eastward there is no dependance; & on South Carolina & Georgia there is still less, as both those states are still sore on their late disappointment. In this situation I have thought it expedient to defer nominating Mr Lee untill I discover a greater prospect of success. The moment I do; it will afford me pleasure to bring to the view of Congress the wishes of the state, & to pursue the most effectual Steps to accomplish them.

Mr Holten is elected Chairman;[3] we go on nearly as we have done for some Weeks past, sometimes with seven & never more than eight States on the floor.

With great respect I have the honor to be, Your Excellencys Mo Obedt servt, S Hardy

RC (PHi: Gratz Collection).

[1] For the election of the minister to the Hague and Arthur Lee's July 27 appointment to the board of treasury, see James Monroe to Thomas Jefferson, April 12, note 6; and Monroe to James Madison, December 18, 1784, note 5, and ibid., note 12.

[2] Notwithstanding, the committee on qualifications and credentials reported on September 6 that the Rhode Island delegates "have a right to sit in Congress until the first Monday in November next," for which see *JCC*, 28:159n, 325n, 29:620n, 630n, 669n, 682–84.

[3] That is, during Pres. Richard Henry Lee's leave for the recovery of his health, for which see *JCC*, 29:631.

Charles Pinckney to Robert R. Livingston

Dear Sir New York August 28th. 1785

Mr. Rutledge declines going to the Hague and Wednesday next is assigned for the Election of a Minister to that court. From letters received by the same conveyance we are desired to nominate and push Mr. Ralph Izard for this appointment.[1] From what passed between us when I had the pleasure of seeing you last, I thought it proper to give you the earliest intimation of this Election, that you might have it in your power to inform your friends, should the same intentions of going to Europe exist as when I saw you at the Barons. If a Gentleman from Carolina had not been nominated, I should have thought myself in some measure authorised to have named you, but Mr. Izard's being

in nomination precludes me. I hope it is unnecessary to assure you, that was not a gentleman from our state a candidate for this office, I know of no one who would more warmly meet my support and affiliate than yourself. My compliments to Mrs Livingston & the ladies at the Manor. Conclude me dear Sir Yours very sincerely.

Charles Pinckney[2]

RC (NHi: Robert R. Livingston Papers).

[1] See James Monroe to Thomas Jefferson, April 12, note 6.

[2] The only other letter that Pinckney subsequently wrote during this term that has been found is a brief note to the South Carolina commissioners of the treasury of November 2, requesting them to pay the half year's salary due him (£300) "to Messieurs James Buchanan & Company or their order." Miscellaneous Folders, NN.

William Samuel Johnson to Ann Johnson

New York Augt. 29th. 1785. "My Dearest. . . . Nothing material occur'd on the road, but after *much* such Jolting as you experienc'd coming from Fairfield, I arriv'd here at the usual time, & found all Friends well. I was much fatigued, but it seems to have done me good, as I have been very well since, except a trifle of Gout Saturday Morning which very soon went off. It was high time I return'd, as there was much Impatience in Congress at my Absence & that of some other Delegates. . . . We shall also in a few Days know here which way Genl. Parsons will go, whether to Virginia, or to the Indian Treaty, or both, when it will be proper for Billy to determine also what course he will take.[1]. . . Since I came here, as well as before, I have seen it I think in my Power to have been engaged in a very easy & honourable Employment, but have refused to entertain any Ideas of it, only because it must carry me further, & more continually, from you & the family. My only Views are to your & their felicity, & to that I will always most chearfully sacrifice all personal regards whatsoever. . . .

"Mrs. Verplank acquaints you there is some very fine & white spanish powder'd Sugar lately imported here from the Havanah fit for all Family purposes sold at 9d. pence pr. pound which she thinks very reasonable. It is in Chests or Box's of about 300 lb. Weight. If you sho'd want any it is probable you might get Dr. Nicholl & others to Join with you in taking a Chest among you, for it is not sold in lesser Quantities."

RC (CtHi: Johnson Papers).

[1] Samuel Holden Parsons had been appointed a commissioner to settle Virginia's Continental accounts and had been nominated by Johnson a commissioner to negotiate with the western Indians. The Johnson's son Billy (Samuel William) was considering

joining Parsons, depending upon which post he accepted. See Johnson to Samuel William Johnson, September 21, note.

Rufus King to Thomas Ivers

Sir, New York 29th. Augt. 1785.

Mr. Osgood goes from this city tomorrow for Boston, and will return after a few weeks. I profit from this opportunity of requesting you to oblige me in paying to Mr. Osgood the balance of a former warrant in my favor being 100 Dollars—together with the amount of a late warrant for 200 L My.[1]

I am induced to think that you will not decline this request if you have it within your power to comply; it is almost improper to mention *to you,* that in the public employ, the support should be at the public expence, and not upon the private funds of the servant of the State.

With great respect your obedient servant Rufus King

RC (ICU: Miscellaneous Manuscripts).

[1] Apparently Lawful Money.

Jacob Read to James Madison

Chamber of Congress

Sir New York Monday 29th August 1785

An Opinion prevails in South Carolina that the principal holders of Slaves in Your State wish to divest themselves of that kind of property And that tollerable good purchases might be made on good Security being given for payments by Instalments with a regular discharge of the Interest.[1]

Under the Impression of this opinion the Honorable Mr. J. Rutledge of So. Carolina has addressed a Letter to me wishing to become engaged in any purchase I may be able to make, & to make a Joint Concern. You know his Validity & I do not mean to deceive you when I say I am possessed of a property that will fully Authorize me to engage in a Considerable purchase. My present application to you is to request you to Inform me if you know of any Such persons As may wish to Sell a gang of Hands & the Terms on which they might be had—on Receiving intelligence of the Name & Residence of the party I'd write myself to such person more particularly. Excuse the Liberty I take in troubling you on this Subject and be assured that if any occasion shall offer in which I can be at all Serviceable to you or any of your friends it will give me great pleasure to Receive your Commands.

Congress is thin & I am Sorry to say the States seem averse to do any Act that has in prospect to assert the Dignity of the federal Government. We Debate—make & hear long & often spirited Speeches but when the Moment arrives for a Vote *We Adjourn* & thus the feelings of Individuals & the Welfare of the Union is trifled with.

We have not yet got through a requisition for the Expences of the Current year—our Treasury is exceedingly low. We have in short nothing Pleasing in prospect & if in a short time the States do not enable Congress to act with some Vigour & put the power of Compulsion into the hand of the Union I am free to Confess I think it almost time to give over the force of what I cannot consider as an Efficient Government. We Want! Greatly want!! the Assistance of your abilities & experience in Congress. I wou'd not be thought to derogate from the Merit or abilities of the present delegation but one cannot help drawing Comparisons between the Language of 1783 & 1785. It will be always pleasing to me to hear of your Health & Welfare. I beg the favour of a Speedy Answer & I am Sir With very great respect and regard, Your Most Obedient & Most Humble Servant, Jacob Read

RC (DLC: Madison Papers).

[1] Methodist-led antislavery sentiment in Virginia, which had recently culminated in a petition to the House of Delegates for a general emancipation, contributed to a widespread belief outside the state that slavery in Virginia was declining. See Albert Matthews, "Notes on the Proposed Abolition of Slavery in Virginia in 1785," *Transactions of the Colonial Society of Massachusetts* 6 (1899–1900): 370–80.

Charles Thomson to Certain States

Sir, Office of the Secretary of Congress, August 29th. 1785.

On examining the files in this office, I find that only five States, namely New-Hampshire, Massachusetts, New York, Maryland, and Virginia have transmitted their laws, passed in pursuance of the recommendation of Congress of the 30th April 1784.[1] It is suggested that other States have complied with the recommendation, though their laws have not been forwarded. I therefore take the liberty of enclosing the act, and request the favour of your Excellency to inform me what your Legislature have done, and if they have complied, that You would be pleased to transmit me a copy of their Act, that I may report the same to Congress.

With great respect, I have the honor to be Your Excellency's Most obedient & Most humble Servt.[2]

LB (DNA: PCC, item 18A). Addressed: "To the Governor—of Connecticut, Rhode Island, New Jersey, Pennsylvania, Delaware, North Carolina, South Carolina, and Georgia."

[1] That is, the recommendation to the states to vest Congress with power to regulate trade into and out of the United States for the term of 15 years. *JCC*, 26:321–22.

[2] Thomson also wrote a brief note this day to treasury commissioner Samuel Osgood notifying him that he had been granted "leave of absence for twelve or fourteen days" pursuant to his letter of request of this date, for which see *JCC*, 29:664; and PCC, item 78, 17:373–76.

Rufus King to Timothy Pickering

Dr Sir New York 31st Aug. 1785

I thank you for your's of yesterday; since you left this City I found an opportunity to draw a small Bill which will answer my present demands, and which leaves me at liberty with expressions of acknowledgement to decline your obliging offer.

Mr. Hillegas it is said will come on to this City with his Department. We have a publication from your quarter, entitled considerations on the Bank of &c.[1] Does not the author prove more than he would wish; upon the principles attempted to be established in this Pamphlet, have not congress authority to order the removal of the Bank to this City or elsewhere?[2]

With great respect & esteem, your obedt. servt. Rufus King

RC (MHi: Pickering Papers).

[1] That is, Pennsylvania delegate James Wilson's *Considerations on the Bank of North-America* (Philadelphia: Hall & Sellers, 1785), for which see *The Works of the Honourable James Wilson*, ed. Robert C. McCloskey, 2 vols. (1804; reprint ed., Cambridge, Mass.: Harvard University Press, 1967), 2:824–47.

The Bank of North America had been chartered by both Congress (December 31, 1781) and the state of Pennsylvania (April 1, 1782), and its directors were now campaigning to defeat a bill introduced in the Pennsylvania Assembly to revoke the charter granted by the state. As one of the twleve board members, Wilson was attempting in his *Considerations* not only to persuade the assembly not to revoke its charter but to establish that the congressional charter alone was enough to preserve the bank's lawful existence. He failed in the former, as the charter was repealed September 13, but succeeded in the latter, as the bank continued operations under its congressional charter and eventually was recharted by the state in March 1787 after most of its political foes were defeated in the Pennsylvania elections of 1786. For the bank's stormy life in Pennsylvania and discussion of the many tactics employed against it, see Janet Wilson, "The Bank of North America and Pennsylvania Politics: 1781–1787," *PMHB* 66 (1942): 3–28. See also Morris, *Papers* (Ferguson), 1: 66–74, 7:795–802.

[2] For discussion of Wilson's constitutional arguments, which included a claim for broad congressional powers "not expressly delegated by the confederation . . . but resulting from the union of the whole," see Wilson, *Works*, 1:22–23, 2:829; and Page Smith, *James Wilson, Founding Father, 1742–1798* (Chapel Hill: University of North Carolina Press, 1956), pp. 150–55.

Lambert Cadwalader to George Mitchell

N York-Septr 2d 1785. "I have your Letter of the 20th Augst. by Darby and am very sincerely sorry to hear of poor Derricksons Death—and while I lament his Loss as an Executor to the Estate I fear he will be very much missed in his Family, to whom he seemed to be truely a Father.

"I am much surprized at your not having recd. several Letters from me [*not found*] since I have been here as they were all sent to Mrs Dagworthy & forwarded by her."

Devotes 14 additional paragraphs to the details of various transactions involving their commercial business, and concludes: "I wish you would carefully answer this Letter by Paragraphs taking one after the other as I am anxious to be informed on the several Material Points herein mentioned."

RC (PHC: Roberts Autograph Collection). Addressed: "Mr. George Mitchell at Daggsbury, Indian River. Per Capt Darby."

Elbridge Gerry to Samuel Hodgdon

Dear Sir N York 2d Sepr 1785

I am favoured with yours of the 27th & 29th of August, & shall this Day pay to Mr Peirce paymaster General fourteen Dollars & 37½/90ths being the Ballance of your Account, which Sum You may charge to him without further Information from me.

We have heard nothing further from Mr Hillegas, at least, there has been no official Information to Congress, whilst I have been there touching the Subject: it is difficult to know the Intentions of Gentlemen respecting Elections, but Mr Pickering may be assured of the Support of Massachusetts, should Mr Hillegas resign.[1] Pray inform him I have recd his Letter of the 30th of Augt which requires no answer.

I remain in Haste Dr Sr yours sincerely, E Gerry

RC (MHi: Timothy Pickering Papers). Addressed: "Samuel Hodgdon Esqr at Philadelphia."

[1] For Michael Hillegas' possible resignation as treasurer of the United States because of his procrastination over moving his office to New York from Philadelphia, see Rufus King to Timothy Pickering, June 17, note.

Rufus King to John Lowell

Dear Sir New York 3d. Sepr. 1785

I received your obliging favor by Captain Walden, and he has done Mr Gerry and myself the favor of conferring with him upon his project of introducing from Sweden coined copper to the amount of £100,000 Stg.[1] We called upon Mr. Livingston of the Treasury board, Mr. Osgood being absent, and introduced Captain Walden to him. We were induced to this measure because a Letter written by Capt. Walden to Congress before he left Boston had been referred to the board, who have under their consideration the whole subject of a mint.

From the conversation that passed, and the proposals of Capt Walden as I understood them, I am induced to conclude that his plan is of that kind that would by no means advance the interest of the States—the profit on the coinage of copper is very considerable in Great Britain and in most other nations of Europe.

The value of coppers or British Half pence is nearly thirty per cent above their intrinsic value; the difference between this excess and the price or value of the Labor employed in the coinage, is a clear profit to the coiners. Very little profit can be made on the coinage of silver, less upon that of Gold, but take the copper coinage in connection with that of Gold & silver, and the mint will support itself.

The United States have Eighty Tons of copper in their magazines; a company are here who brought with them from England the various machines & implements necessary for a coinage, and have rendered their services—a coinage in our own Country is more pleasing than one abroad.

Nevertheless Capt. Waldons proposals may be beneficial.

Mr. Osgood will inform you fully of our situation relative to a federal court & other things.

We have sent private Letters; and the Secretary has sent duplicates, and Triplicates, to Mr. Flemming & Mr. Sitgreaves, but no answer has come to hand. I hope we shall not be obliged to negotiate farther for Judges.[2] Doct. Johnson prays you would oblige us with a Statement of the claim,[3] the points to be made in the cause &ca. &ca. Mr. Parsons had a brief,[4] will he not send us a copy? I wish it may be in his power.

With great respect your most Obed. Servt. Rufus King

RC (DLC: Miscellaneous Manuscripts).

[1] For Frederick H. Walden's copper coinage proposal, see Elbridge Gerry to James Bowdoin, September 5, note 1.

[2] That is, for judges to hear Massachusetts' claim to lands in western New York, for which see Charles Thomson to William Fleming, et al., June 9, and to Thomas Johnson, et al., June 21, 1785.

[3] That is, Connecticut delegate William Samuel Johnson who had been advising the Massachusetts agents in this case.

[4] That is, Theophilus Parsons, who with Lowell and James Sullivan was one of the Massachusetts agents in this cause, along with the state's delegates to Congress, King, Elbridge Gerry, and Samuel Holten.

Massachusetts Delegates to James Bowdoin

Sir, New York 3d September 1785

We have deferred a Communication of the Reasons which urged Us to suspend the Delivery to Congress, of your Excellency's Letter to them for reviewing & altering the Confederation, & to each of the Executives of the States on the same Subject; in Expectation of an Answer to the Letter which We had the Honor of addressing to You the 18th of August last:[1] but lest any Inconvenience should result from a longer Delay, We now beg Leave to suggest our Sentiments on the Subject.

It may be necessary previously to observe, that many are of Opinion, the States have not yet had Experience sufficient to determine the Extent of powers vested in Congress by the Confederation; & therefore, that every Measure at this Time, proposing an Alteration, is premature. But admitting the Necessity, of immediately investing Congress with more commercial powers, it may be expedient to enquire.

First. Whether good policy does not require, that those powers should be temporary? In determining this question, We are led to consider, the commercial Evils to be remedied: the Efficacy of temporary powers for this purpose: and the Disposition of the several States touching the Subject. The Evils principally consist, in the Impositions, Restrictions, & prohibitions of foreign powers on our Commerce; & in the Embarrassments resulting from the commercial Regulations of our own States. How far temporary powers can remedy these Evils, perhaps Time & Experience can only determine. Thus much may nevertheless be suggested, that as the several Treaties which are now negotiating by our Commissioners in Europe, are not to exceed the Term of fifteen Years; if the commercial powers to be vested in Congress should be of a similar Duration, they may remedy the Evils for that Term: & at the Expiration thereof, a new commercial Epoch will commence, when the States will have a more clear & comprehensive View of their commercial Interests, & of the best Means for promoting the same; whether by Treaties abroad, or by the Delegation & Exercise of greater commercial Powers at Home. Whatever the Disposition of the States may be, it can only be known by their Acts: but the different Views which they have had of the Subject give Reason to suppose, that

some Legislatures will think temporary commercial powers elegible under present Circumstances; & should this be the Opinion of but one, an attempt immediately to delegate perpetual commercial powers, must fail, & may prevent a delegation of temporary powers—for in politics as in private Life, by aiming at too much, We oft-times accomplish nothing.

Secondly. If the States are unanimously disposed to increase the commercial powers of the Confederacy; should not the additional powers, be in the first Instance temporary; & the Adoption of them as part of the Confederation, depend on their beneficial Effects? This is a Question on which We propose not to venture a decided Opinion; but Experience teaches Us, that in the Formation of Constitutions & Laws, the wisest Men have not been able to foresee the Evasions & Abuses, which in the Operation have resulted from vague Terms & Expressions; latent Inconsistencies, artful Constructions, & from too full & unguarded a Delegation of powers. Whether the Subject of Commerce, & the Danger to which the States may be exposed by a Surrender to the Union of their commercial Authority, are so fully understood as to justify the Consideration of an immediate Alteration of the Confederation, is a Matter that the Legislatures alone are competent to determine—any of them, who may not be clear with respect to either of those points, will probably (as in the other Case), be in the first Instance in Favour of temporary commercial powers, & if approved by Experience, of adopting them as part of the Confederation. But should all the States be in Favour of an immediate Alteration of the Articles, will it not be expedient for them, previously to consider? that, however great the abuse of this Trust may hereafter be; however greivous to a considerable part of the Union; the powers, once delegated in the Confederation, cannot be revoked without the *unanimous Consent* of the States—that *this,* may be earnestly sought for, but never obtained?—that the fœderal & State Constitutions, are the great Bulwarks of Liberty—that if they are subject, on trivial or even important Occasions, to be revised & re-revised, altered & re-altered, they must cease to be considered as effectual & sacred Barriers; & like land Marks frequently changed, will afford no certain Rule for ascertaining the Boundaries, no criterion for distinguishing between the Rights of Government, & those of the people. And therefore, that every Alteration of the Articles, should be so thoroughly understood & digested, as scarcely to admit the *possibility* of a Disposition for a Reconsideration.

Thirdly. Shall any Alteration, either temporary or perpetual, be proposed in a Way, not *expressly* pointed out by the Confederation? The thirteenth article provides, "that the Articles of this Confederation shall be inviolably observed by every State, & the Union shall be perpetual; nor shall any Alteration at any Time hereafter be made in any of them: unless such Alteration be agreed to in a Congress of the

united States, & be afterwards confirmed by the Legislature of every State." Here, no provision is made, for or against a Convention, & therefore it may be said not to be inconsistent with this Article; but as the proceedings of a Convention would not be binding on Congress, should the latter think themselves under the Necessity of rejecting the Report of the former, would not the States, after having thus incurred a considerable Expence, be dissatisfied on the Occasion? would not the Members of the Convention, who, it must be supposed, would be Men of the first Abilities & Influence in the several States, be hurt, & opposed in this Instance to Congress? & would not parties, in the Legislatures & amongst the people, be the Consequence? if so, may not an Apprehension of these Evils, have a Tendency to influence some Members of Congress to give up their Opinion respecting the Report, rather than to be considered as pertinacious, & involved in Contentions? And if such are the prospects of a Convention, will not Congress consider it as being contrary to the Spirit of the Confederation? Indeed, We are doubtful, whether a Measure of this Kind, would not be veiwed as manifesting a Want of Confidence in Congress, & on this Ground, meet their Disapprobation.

Fourthly. If an Alteration, either temporary or perpetual, of the commercial powers of Congress, is to be considered by a Convention, shall the latter be authorized to revise the Confederation *generally,* or only for express purposes? the great object of the Revolution, was the Establishment of good Government, & each of the States, in forming their own, as well as the fœderal Constitution, have adopted republican principles—notwithstanding this, plans have been artfully laid, & vigorously pursued, which had they been successful, We think, would inevitably have changed our republican Governments, into baleful Aristocracies. Those plans are frustrated, but the same Spirit remains in their abettors: And the Institution of the Cincinnati, honorable & beneficent as the Veiws may have been of the Officers who compose it, We fear, if not totally abolished, will have the same fatal Tendency.[2] What the Effect then may be, of calling a Convention to revise the Confederation generally, We leave with your Excellency & the honorable Legislature to determine. We are apprehensive & it is our Duty to declare it, that such a Measure would produce thro out the Union, an Exertion of the Friends of an Aristocracy, to send Members who would promote a Change of Government: & We can form some Judgment of the plan, which such Members would report to Congress. But should the Members be altogether republican, such have been the Declamations of designing Men against the Confederation generally: against the Rotation of Members, which perhaps is the best Check to Corruption & against the Mode of altering the Confederation by the unanimous Consent of the Legislatures, which effectually prevents Innovations in the Articles, by Intrigue or Surprize, that We think, there is

great Danger of Report which would invest Congress with powers, that the honorable Legislature have not the most distant Intention to delegate. Perhaps it may be said, this can produce no ill Effect; because Congress may correct the Report however exceptionable, or if passed by them, any of the States may refuse to ratify it—true it is, that Congress & the States have such powers, but would not such a Report, affect the Tranquillity & weaken the Government of the Union? We have already considered the Operation of the Report as it would respect Congress; and if Animosities & parties would naturally arise from their rejecting it, how much would these be increased, if the Report approved by Congress & some of the States, should be rejected by other States? would there not be Danger of a party Spirit's being thus more generally diffused & warmly supported? far distant We know it to be from the honorable Legislature of Massachusetts, to give up a single principle of Republicanism, but when a general Revision, shall have proceeded from their Motion, & a Report which to them may be highly offensive, shall have been confirmed by seven States in Congress & ratified by several Legislatures, will not these be ready to charge Massachusetts with Inconsistency, in being the first to oppose a Measure, which the State will be said to have originated? Massachusetts has great Weight, & is considered as one of the most republican States in the Union; & When it is known that the Legislature have proposed a general Revision, there can be no Doubt, that they will be represented as being convinced of the Necessity of increasing generally, the powers of Congress, & the Opinion of the State will be urged with such Art, as to convince Numbers that the Articles of the Confederation are altogether exceptionable. Thus, whilst Measures are taken to guard against the Evils arising from the Want in one or two particulars, of power in Congress, We are in great Danger of incurring the other Extreme—"more power in Congress" has been the Cry from all quarters; but especially of those, whose Veiws, not being confined to a Government that will best promote the Happiness of the people, are extended to one that will afford lucrative Employments, civil & military. Such a government is an Aristocracy, which would require a standing Army, & a numerous Train of pensioners & placemen to prop & support its exalted Administration. To recommend ones self to such an Administration, would be to secure an Establishment for Life & at the same Time to provide for his posterity. These are pleasing prospects, which republican Governments do not afford, And it is not to be wondered at, that many persons of elevated Veiws & idle Habits in these States are desirous of the Change. We are for increasing the power of Congress, as far as it will promote the Happiness of the people; but at the same Time are clearly of Opinion, that every Measure should be avoided which would strengthen the Hands of the Enemies to a free Government: And that an administration of the present Confederation with all its Inconveniences, is preferable to

the Risque of general Dissentions & Animosities, which may approach to Anarchy & prepare the Way to a ruinous System of Government.

Having thus, from a Sense of the Duty We owe to the United States as well as to our Constituents, communicated to your Excellency, our Sentiments on this important Subject; We request You to lay them before the honorable Legislature at their next Session, & to inform them, that their Measures for a general Revision of the Confederation, if confirmed, shall be immediately communicated to Congress; that no Time will be lost by the Suspension, since the Requisition & other important Matters before Congress, would have prevented them from an early Attention to the *propositions* of Massachusetts; & that, if *these* had been approved by Congress, many of the Legislatures, being now adjourned, could not take the same into Consideration.

We have the Honor to remain Sir, with the most perfect Respect, your Excellency's most obedt & most humble Servts.

E Gerry.

S. Holten[3]

R. King

RC (NN: Emmet Collection, no. 9523). Written by Gerry and signed by Gerry, Holten, and King.

[1] See Massachusetts Delegates to Bowdoin, August 18, note 2.

[2] Elbridge Gerry had long been one of the most vehement critics of the Society of the Cincinnati, and although its original proposed constitution had been amended in response to criticisms, particularly in regard to the hereditary principle to defuse charges that the Cincinnati aimed at establishing an aristocracy, he was convinced that it was behind the movement for calling a convention to strengthen the confederation. For the renewal of attacks on the society in 1785 despite the conciliatory gestures of its leaders in 1784 to allay the fears of its critics, see Minor Myers, *Liberty without Anarchy, a History of the Society of the Cincinnati* (Charlottesville: University Press of Virginia, 1983), pp. 70–79. See also Gerry to John Adams, August 3, note 4.

[3] That Holten may have been uneasy over sending this letter at this time is suggested by the the following "Billet" written by him to Gerry and King the following day, perhaps when he affixed this signature.

"Dr. Holten presents his compliments to the honorable Mr. Gerry, & Mr. King, & beg[s] leave to submit to their consideration whether it might not be adviseable to date our letter the 5th considering the short time since ours of the 18th of August to which this refers." Holten Papers, DLC.

Charles Pettit to John Nicholson

Dear Sir[1] New York 3d. Septr. 1785

While I had the Honor of a Seat in the House of Assembly of Pennsylvania, many Applications were made by Officers of the Pensa. Line on a Supposition that they were excluded from the Emoluments granted to others, either by having been overlooked, or by a Miscon-

struction of their Cases in applying the Regulations of Congress to them. The Case of Col. Murray & others who are named in an Act of Assembly passed in 1783 (which Act it appeared to me ought not to have been made), and the Cases of some others, I have laid before Congress.[2] I got them referred to a Committee of whom I was one, but finding little probability of getting any new Resolution in their Favor, and conceiving those in existence would admit their Claims, if they could establish the Facts they set forth, I consulted the Paymr. Genl., who on examining into the Matter, agreed with me in Opinion as to Col. Murray & his Associates—but as to the others I could not perceive a prospect of Success, & therefore withdrew the Papers. The Allowance of Depreciation, I presume, is to be settled by you—the Commutation, by Mr. Pierce, I therefore inclose to you the Opinion he gave me in writing that you may give to the Applicants the proper Information, as I suppose they will apply to you.

In Consequence of your Letter of the 19th Ult. I presented to Congress the Petition of Capt. McLean;[3] it was referred to the Secry. at War, whose Report I have not seen, but he has told me it must be against the Claim—that he was of Opinion that what was done for the Invalids when at West Point & on their being sent from thence, was quite as much, if not more than the Resolutions of Congress would warrant; and Congress having passed their Ordinance of June last as a final Provision for the Invalids, will not farther meddle with the Business unless something extraordinary should appear in a Case to claim their Notice.

You cannot be unapprized of the Importance of getting the Account of the State of Pennsa. with the United States settled. A settlement with all the States seems to me essentially necessary to their well-being, as we can take no radical Measures in Finance, nor draw any Revenues on Federal Principles till that shall be done and the Quotas established. There is such a Backwardness in the States on this Subject that we are contriving a Mode to give advantage to such States as shall be most forward in the Business, and I would wish the State of Pennsa. to be among the foremost in this as it is generally in all federal Measures.

I hope to be in Phila. in the course of a Week or two, & shall wish to be furnished with the best Information you can give me as to the State of our Acct. with the U States—I doubt not your readiness to give me this Information, nor your Judgment in the mode of stating it, I therefore think it needless to be more particular.

I am, with Esteem, Dr Sir, Your most humℓ Servant,

Cha. Pettit[4]

RC (PHi: Gratz Collection). Addressed: "John Nicholson Esqr., Comptroller Genl., Philadelphia."

[1] Since his appointment as comptroller general of Pennsylvania November 8, 1782, John Nicholson (1757–1800) was often regarded as "the financial dictator of the state."

Robert D. Arbuckle, *Pennsylvania Speculator and Patriot, The Entrepreneurial John Nicholson, 1757–1800* (University Park: Pennsylvania State University Press, 1975), p. 7.

[2] No documents related to the case of John Murray, lieutenant colonel of the 2d Pennsylvania Regiment, 1778–81, are in the PCC or mentioned in the journals of Congress.

[3] A letterbook copy of Nicholson's August 19 letter to the Pennsylvania delegates introducing Capt. James McLean, is in the Nicholson Papers. PHarH (microfilm collection, reel 1). Nicholson explained that McLean "waits upon Congress in order to obtain the pay for himself and the [Invalid] Corps lately commanded by him at West Point. They have been dismissed and sent to this state destitute of the means of subsisting themselves, and as the legislature of Penna. have not met since the late recommendation to the states respecting disabled officers and soldiers they are in great distress." McLean's undated petition to Congress is in PCC, item 41, 6:432–34. For Secretary at War Henry Knox's September 27 report on this appeal, see *JCC,* 29:658n, 788–90; and PCC, item 151, fols. 117–20.

[4] Pettit also wrote the following brief letter to Nicholson on October 5 concerning his accounts for attendance at Congress. "I find by the Journals of Congress I took my Seat in the House on the Morning of the 27th of May, & attended in Congress till the 30th of September inclusive, except ten Days of Business in July, in which Time I made a Trip to Philada.

"You will please to frame my Acct. & obtain a Warrant for Payment accordingly." Fogg Collection, MeHi.

The Pennsylvania delegates periodically submitted their accounts for congressional attendance to comptroller general Nicholson, of which the following are in the Gratz Collection, PHi. Joseph Gardner presented claims to Nicholson for attendance from November 28, 1784, to November 7, 1785 (less "13 days absence during the adjournment of Congress [December 1784–January 1785]," plus "sixteen days absence in May" and "seven days absence in Septr. Visiting my family"). And David Jackson claimed "wages as a delegate" from April 21 to November 4, 1785, inclusive (deducting "for absent time" August 6 to 11 and August 26 to September 10).

Rufus King to Theophilus Parsons

Dear Sir, New York, 4th. Sep. 1785.

Our townsman Mr. Dexter is here for the purpose of registering a quantity of public securities; among the certificates produced at the office of the Treasury there is one which is wholly a counterfeit.

Mr. Peirce the late paymaster of the army, has requested me to direct him to some person in Massachusetts, to whom he may apply for assistance in detecting this public fraud.[1]

I have recommended to Mr. Peirce to transmit such remarks upon this subject as he may think proper to you, and to request your aid. I pray you to give such assistance in this instance as may tend to a discovery of a fraud so injurious to the public and private interest.

I am uneasy that I have it not in my power to inform you that all the Gentlemen appointed Judges of the federal Court have accepted. Mr Johnson only of the three aggreed upon when you was here has returned any answer—he accepts—Mr. Flemming and Mr. Sitgreaves have not informed whether they will accept or not.[2]

All possible care has been taken to give these Gentlemen notice, and it is very extraordinary that neither of them gives any answer.

With sentiments of great respect and Esteem, Your Obliged humb. Servt. R. King

Tr (NHi: King Papers). Endorsed: "copied *verbatim et literatim.*"

[1] For Congress' attempts to control the counterfeiting of Continental certificates, see Abiel Foster to Joseph Howell, January 10, note 2; and Charles Thomson to Certain States, March 28, 1785.

[2] See Charles Thomson to William Fleming et al., June 9 note 2; and Elbridge Gerry and King to John Lowell, et al., September 29.

Elbridge Gerry to Samuel Adams

My dear sir, New York 5th Sepr 1785

I am much obliged to you for your Favour of the 27th of Augt inclosing the proceedings of the Legislature respecting the Institution of the Cincinnati.[1] Congress have been ever tender of the Reputation of their military officers, & as far as I could collect the Sentiments of the Members at Annapolis, were in Expectation of a voluntary Abolition of the Institution. It was then conceived, that all the officers might have been mistaken with Respect to its fatal Tendency, & that many certainly were; but that seeing the Sense of their fellow Citizens & of some of the Legislatures on the Subject, no Time would be lost in putting a period to so obnoxious a Measure. In this Congress have been mistaken, for so far have the Cincinnati Congress been from an Abolition, that in my opinion the plan is worse on the last Establishment than it was on the first. My Reason is this, that in the first case it was too glaring to escape the Observation of any one, & in the last it may lull some into a Security untill the Cincinnati Nobility have so established their Influence as to control our republican Governments & then they may reassume their first Shape & bid Defiance to Opposition. I am not sure that Congress will take the Matter up; but sure I am, that if the Delegates of Massachusetts return their Health & Seats in Congress, they will put on the Journals some propositions that will sound a fœderal alarm: being firmly persuaded this Institution must be abolished soon, as it will destroy our Liberties. We have by this post, given his Excelly Governor Bowdoin, our *Reasons* for suspending a Delivery of his Dispatches for a general Revision of the Confederation, *which* I presume he will officially communicate to his Council & I wish to have your Sentiments on the Subject.[2]

My Compliments to your Lady & be assured I am Sir on every occasion your Friend & very hum Serv E Gerry

RC (NN: Adams Papers).

[1] Adams' letter is not in Adams, *Writings* (Cushing).

[2] See Massachusetts Delegates to James Bowdoin, September 3.

Elbridge Gerry to James Bowdoin

Sir, New York 5th Sepr. 1785.

I was honored with your Excellency's Letter by Capt. Walden, & have received from him some general propositions respecting Copper half pence, which he offers to supply to the Amount of £100,000 sterling.[1] Previous to his Arrival the Business of a Mint had been under the Consideration of a grand Committee, whose Report I inclose,[2] with a Request that You will not impart it to any one, as it is not usual to send out such Documents untill they are passed by Congress. Indeed the Board of Treasury have the Matter, pursuant to order of Congress, under Consideration, & Mr. Osgood being absent, & Mr. Lee not arrived, I introduced Mr Walden to Mr Levingston the only Member in the City, & to Mr Duer the Secretary, who will examine minutely into the propositions, point out what part of them is admissable, & what not; & give Mr Walden an Opportunity of soon determining whether there is a prospect of his entering into such a Contract as Congress will probably consent to. I do not think there is such a prospect, because one Condition will perhaps be, that the Money shall be coined, in the U States, another in the Mint of the Confederacy, a third that the Coiner shall be on Wages & the profits which are estimated at about 30 per Ct shall accrue to the publick. Capt Walden thinks the profits will not exceed 28 per Ct, & supposing this to be the Case £22,000 sterling, the advance on £78,000, would be no trifling Sum in the foederal Chest, at this Crisis of its Evacuation. However thus much Capt Walden will be sure of, plain dealing & a preference if his Terms, amongst other proposals are entitled to it: or a polite Refusal, if they are not.

The papers inclosed contain some particulars respecting Mr Adams Negotiations, which do not *vary* from the Truth, because they have not in the minutest Degree my Relation thereto.

Pray present my best Respects to your Lady & Miss Temple & be assured that I am Sir on every occasion your Excellencys most obedt & very hum ser, E Gerry

RC (NN: Emmet Collection, no. 4161).

[1] Governor Bowdoin's July 16 letter to Congress, and one of the same date from Frederick H. Walden, "a Swedish Gentleman," enclosing a proposal for the "coinage of Copper half pence & farthings," are in PCC, item 65, 2:257–60, item 78, 24:527–33. They were read in Congress July 28. *JCC*, 29:587n.

[2] See *JCC*, 28:354–58.

William Grayson to George Washington

Dear Sir New York. Sepr. 5th. 1785.

I had the honor of your favor by Post.[1] The hounds you allude to arrived here in the midst of a hot war against their fraternity: they were however not friendless: your Acquaintance Doct. Cochran took very good care of them while they remained at their place & has sent them by Capt. Packard's Sloop to Mount Vernon. I make no doubt that they have got there safe.

We have little news from Europe or elsewhere. Mr. Otto came over in the last packett as chargé des affaires in the room of Mr. Marbois who goes to the West Indies.[2] We are informed the Chevalier de La Luzerne is to be here shortly in quality of Minister.[3] The demand of the body of Longchamps is withdrawn.

For some time past there has been very few States on the floor, of course very little has been done.

I am happy to hear that after inspection, you are of opinion the obstructions on the Potowmac, are not greater than you had supposed them to be.

I have the honor to be, with the highest respect, Yr. Affect. frd. & Most Obed servt, Willm. Grayson

RC (DLC: Washington Papers).

[1] For this letter of August 22, see Washington, *Writings* (Fitzpatrick), 28:232–34.

[2] Louis-Guillaume Otto had been introduced officially by the comte de Vergennes in a letter of June 20 to the secretary for foreign affairs, John Jay, and more informally by Thomas Jefferson, who had come to know him in Paris before his departure for America. Thus Jefferson had written to James Monroe on June 17: "This will be handed you by Mr. Otto who comes to America as Chargé des affaires in the room of Mr. Marbois promoted to the Intendancy of Hispaniola, which office is next to that of Governor. He becomes the head of the civil as the Governor is of the military department. I am much pleased with Otto's appointment. He is good humoured, affectionate to America, will see things in a friendly light when they admit of it, in a rational one always, and will not pique himself on writing every trifling circumstance of irritation to his court. I wish you to be acquainted with him, as a friendly intercourse between individuals who do business together produces a mutual spirit of accomodation useful to both parties. It is very much our interest to keep up the affection of this country for us, which is considerable. A court has no affections. But those of the people whom they govern influence their decisions even in the most arbitrary governments." Jefferson, *Papers* (Boyd), 8:228. Otto's career as chargé has been treated at length in Margaret M. O'Dwyer, "Louis-Guillaume Otto in America" (Ph.D. diss., Northwestern University, 1954). For one facet of his work in the United States, see Paul G. Sifton, "Otto's Memoire to Vergennes, 1785," *WMQ* 22 (October 1965): 626–45.

[3] There was no truth to this speculation, but the source of it had already been noted by Otto himself—Vergennes' June 20 letter of introduction of the new chargé to John Jay, which contained the following passage. "Les ennemis de M. Jefferson comptoient profiter de cette occasion pour faire rapeller ce Ministre et pour ne laisser en France qu'un Chargé d'affaires ou du moins pour nommer M. Jefferson Ministre à Paris et à la

haye en même tems. Mais la lettre dont Vous avés bien voulu me charger pour M. Jay a pleinement levé cette difficulté puisqu'il y est dit expressement que je ne serois Chargé des affaires de S. M. *qu'en attendant le retour du Ministre Plenipotentiaire.*" Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, 30:258. For Vergennes' June 20 letter to Jay containing the observation that Otto's appointment had been made "en attendant le retour de M. le Chev. de la Luzerne," see PCC, item 96, fol. 368.

Samuel Holten to James Bowdoin

Sir, New York 5th Sepr. 1785.

I have received the letter that you did me the honor to write me on the 18th ultimo, which adds to the obligations I am under to your Excellency.

Very few days that there has been nine states represented in Congress since I had the honor of addressing you last.

The reception Mr. Adams met with at the court of London can't but be agreeable to every friend to this country, I would mention particulars were I at liberty, however, no judgment is to be formed, how that court will be disposed to favor the important affairs he is charged with.

I will enclose a pamphlet lately come to hand from the bank at Philada. which was thought of so much importance as to be forwardd. to each member of Congress.[1]

Mr. Dowse called on me yesterday & requested that I would forward the inclosed to your excellency. I enquired of him whether he had recd. a letter from the delegates of N. Hampshire, which, at their desire, I inclosed to you;[2] his answer was that he had not, having left Boston before it came to hand.

So long & constant attention to business in Congress, I find injures my health, & unless the President should return, I expect Congress must appoint another person to the chair. With perfect respect, I have the honor to be, your Excellency's most obedient servant.

FC (MNS: Hiram Putnam Papers). In the hand of Samuel Holten.

[1] See Rufus King to Timothy Pickering, August 31, note 1.

[2] See Holten to Bowdoin, August 25.

Samuel Holten to George Williams

Sir, New York 5th Sepr. 1785.

Two days since, Mr. Gardner called on me with a note from you, requesting my attention to a bond,[1] supposed in the treasurers office,

but the office not being removed from Phila. preventd. my being able to comply with your wishes; however, I recommended to Mr. Gardner to make Colo. Pickering acquainted with the matter, & he would be able to give him assistance at Philada., and if there was any thing farther, that I could serve you in here, requested him to signify it to me as it would give me pleasure to render you services.

The reception, Mr. Adams met with at the court of London can't but be agreeable to every friend to this country and was I at liberty, I would mention particulars, however, no judgment is to be formed from his reception how that court will be disposed to favor the important matters Mr. Adams is charged with.

The embarrassed state of our commerce has been largely considered by Congress, but nothing, yet, determined upon, and lays with other important business for a full representation in Congress; & unless the states, pay a greater attention to keeping up their representation, many important matters, in my opinion, will remain unfinished for some time, & to our great damage as a nation, & I will add farther that for want of such a representation, many of our public embarrassments arise, & are continued.

If I recollect right, you are a member of the Genl. court of Masstts.[2] & therefore, I consider an apology less necessary, while I mention a matter that respects me personally; I conclude you are sensible that in the last appointment of delegates to Congress, I was passed unnoticed. No doubt the Honorable court had such reasons as were judged sufficient, & the Governor, as well as some others of my friends, has signified to me, that it was supposed to arise from the members in general conceiving that I was not eligible; but as it is to be presumed the court were acquainted with their own records, & that from them it must appear, that I had been elected but only for two years since the confederation took place, therefore, some other reasons may have operated against me that I am unacquainted with; and 'tho' it don't amount to a recall before the year is out. Yet, if I had believed it would have been more agreeable, to my constituents, I should have returned before this time, notwithstanding my particular engagements to Congress after the honor they have done me.

I am, with great respect, your most obedient servant

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] The nature of this request is not known, but at least ten "ships' bonds required for letters of marque" taken out by Captain Williams, a merchant of Salem, Mass., are in the PCC. See item 196, 1:38, 88, 3:22, 7:34, 37, 38, 10:11, 15, 12:49, 13:85, 15:76; and these *Letters*, 10:322.

[2] Williams represented Salem, Essex County, in the session of the Massachusetts General Court convened May 25, 1785–March 24, 1786. *Journal of the House of Representatives*, p. 2, DLC(ESR).

Charles Thomson to James Bowdoin

Sir Office of Secy of Congress, Sept. 6. 1785

I have recd. and communicated to Congress, the letter You did me the honor to write the 22d Augt[1] together with the thirteen copies of the laws which You was pleased to forward under the care of Mr Dowse. I shall not fail to deliver, agreeably to the Act of the 27th July, one copy of the laws to the Delegates of each State for the use of the Legislature thereof, reserving one for the use of Congress.

I have now the honor to transmit to your Excellency herewith enclosed, two copies of the continuation of the Journal of Congress, from the 29th July to Augt. 25th, one for the Legislative, and the other for the executive branch of Government. Although the Journal contains a full account of the representation in Congress, yet for the further information of the Legislature, I enclose agreeably to the Act of the 17th[2] a list of the States represented and of those unrepresented, and of the members who have appeared in Congress during the course of last month.

With the greatest respect, I have the honor to be &c

ENCLOSURE

A State of the Representation in Congress, for the Month of August 1785—pursuant to the Act of 17th August, 1785.

[*See opposite page*]

LB (DNA: PCC, item 18A). Enclosure (NN: Emmet Collection, no. 1152).

[1] Bowdoin's letter, written in response to Thomson's letter to the states of July 28, is in PCC, item 65, 2:297–99.

[2] See Thomson to the States, August 24, second letter, note 2.

ENCLOSURE

A State of the Representation in Congress, for the Month of August 1785—pursuant to the Act of 17th August, 1785.

Members who appeared in the course of the month	1	2	3	4	5	8	9	15	16	17	18	19	22	23	24	25	26	29	30	31
New-Hampshire, Mr. Foster, Mr. Long	1	r	r	r	r	r	r	r	1	r	r	r	r	r	r	r	1	r	r	r
Massachusetts, Mr. Gerry, Mr. Holten, Mr. King	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Rhode-Island Mr. Ellery, Mr. Howell	r	r	r	1	1	1	1	1	1	1	1	–	1	1	1	1	1	1	1	1
Connecticut, Mr. Cook, Mr. Johnson	1	1	–	1	–	–	1	–	–	–	–	–	1	1	1	r	r	r	r	r
New-York, Mr. Haring, Mr. Laurence, Mr. Smith	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
New-Jersey, Mr. Cadwallader	1	–	1	–	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pennsylvania, Mr. Gardner, Mr. Jackson, Mr. Pettit, Mr. Wilson	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Delaware, Mr. Vining, Mr. Bedford	–	–	1	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	r
Maryland, Mr. McHenry, Mr. Hindman	r	r	r	r	r	r	r	1	r	r	r	r	r	r	r	r	r	r	r	r
Virginia, Mr. Hardy, Mr. Monroe, Mr. Lee, Mr. Grayson	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	1	–	–
North-Carolina, Mr. Cumming	1	1	1	–	–	1	1	–	1	1	1	1	1	1	1	–	1	1	1	1
South-Carolina, Mr. Read, Mr. Pinckney, Mr. Bull, Mr. Kean	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Georgia, Mr. Houston, Mr. Habersham, Mr. Baldwin	r	r	r	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
The States represented,	8	9	9	7	7	8	8	7	7	8	8	8	8	8	8	9	8	8	8	9

Charles Thomson to Richard Caswell

Sir Office of the Secretary of Congress. Sept. 6th. 1785.

I have recd the letters You did me the honor to write on the 20th & 23d of July and on the 4th of August.[1]

I have now the honor to transmit to your Excellency herewith enclosed two copies of the continuation of the Journal of Congress from the 29th of July to Augt. 25th, One for the Legislative, & the other for the executive branch of Government. Although the Journal contains a full account of the representation of Congress, Yet for the further information of the Legislature, I enclose agreeably to the Act of the 17th, a list of the States represented and of those unrepresented, and of the members who have appeared in Congress during the Course of last month.[2] Your Excellency will perceive that your State continues to be unrepresented. When I consider of what importance it is to the Union, as well as to each individual State to have a full and compleat representation in Congress, I cannot but flatter myself that You will use your best endeavors to press the attendance of the Members from your State[3]—and here I would observe, that great inconvenience arises from a bare representation by two Members—for in case of the indisposition or casual absence of either of them, the State is unrepresented—and in case of a difference in opinion between them it loses its vote.

With great respect, I have the honor to be, &c

LB (DNA: PCC, item 18A).

[1] These letters are in PCC, item 72, fols. 201–12.

[2] See the preceding entry.

[3] For Governor Caswell's unsuccessful efforts to get Timothy Bloodworth, William Blount, and Charles Johnson to join William Cumming in New York, see *N.C. State Records*, 17:270–71, 516, 522–23, 533, 538, 540. North Carolina continued to be unrepresented in Congress until May 3, 1786, when Bloodworth, Blount, and James White finally attended.

Charles Thomson to Certain States

Sir Office of the Secretary of Congress, September 6th. 1785.

I have the honor to transmit to Your Excellency herewith enclosed two copies of the continuation of the Journal of Congress from the 29th July to Augt. 25th, One for the Legislative and the other for the Executive branch of Government. Although the Journal contains a full account of the representation in Congress, yet for the further information of the Legislature, I enclose agreeably to the Act of the

17th of Augt, a list of the States represented, and of those unrepresented, and of the Members who have appeared in Congress, during the course of last month.[1] On this occasion, I beg leave to submit to the consideration of the Legislature two inconveniences which necessarily result from a State being represented by only two members—1. by the sickness or casual absence of one of the members, the State is unrepresented and, 2ly, by a division of sentiment the State loses its vote.

With the greatest respect, I have the honor to be &c

LB (DNA: PCC, item 18A). Addressed: "To the Governor of New Hampshire, Connecticut, Delaware & Maryland."

[1] See Thomson to James Bowdoin, this date.

The texts of this letter that were addressed to the executives of New York, Pennsylvania, Virginia, South Carolina, and Georgia end at this point. PCC, item 18A, fol. 137. The RC's of those to Georgia and Virginia are, respectively, in the Keith Read Collection, GU, and the Continental Congress Papers, Vi. That addressed to New Jersey governor William Livingston concludes with the following sentences: "By this the Legislature will see, that the State still continues to be unrepresented. A Voice in the fœderal Council having been earnestly contended for, and considered by every State in the Union essential to its Sovereignty, I hope Your Legislature will adopt effectual measures to avail itself of this right." PCC, item 18A, fols. 143–44.

Charles Thomson to William Greene

Sir Office of the Secretary of Congress Sept. 6th. 1785

I have recd the letter You did me the honor to write on the 24th Augt,[1] and have now the honor to transmit to Your Excellency herewith enclosed, two copies of the continuation of the Journal of Congress from the 29th July to Augt 25th, One for the Legislative, and the other for the executive branch of Government. Although the Journal contains a full account of the representation in Congress, yet for the further Information of the Legislature, I enclose agreeably to the act of the 17th a list of the States represented, and those unrepresented and of the members who have appeared in Congress during the course of last month. By this the Legislature will see, that tho the State has two members in Town, yet by the indisposition of one of them, it has not been represented since the 3d of Augt.[2] "Public œconomy," it must be granted, "is an object of great importance" and highly commendable in every Government, and especially in young republican States—but there are expences so essentially necessary, that a State cannot avoid them, without a sacrifice of its honor and dignity; such expences ought to be considered as consistent with the greatest œconomy. A voice in the fœderal Council has always been considered by

every State in the Union as essential to its Sovereignty. This cannot well be secured by a representation of two members. For by the indisposition or casual absence of either of them, the State is unrepresented—and by their differing in opinion, it loses its Vote. These considerations will, I hope, have due weight with the Legislature, and induce them to comply with the earnest recommendation of Congress, and support the expence of a representation by three members at least.

With the greatest respect, I have the honor to be &c

LB (DNA: PCC, item 18A). Addressed: "To the Governor of Rhode Island."

[1] Undoubtedly a reference to Greene's August 29 letter to Thomson, which is endorsed "Read 5 Septr. 1785," and is in PCC, item 64, fols. 562–65.

[2] See the enclosure to Thomson to James Bowdoin, this date.

Charles Thomson's Memorandum Book

[September 7–16, 1785]

Sepr. 7th. Delivered to the pay master general one Copy of the Journal of Congress of the present session to the 29th July.

8th. Delivered to Mr Habersham set of the Journals of Congress 1774 to 1784 (77 & 80 excepted).

9th. Sent to the War-Office per order Mr Thomson a Petition of Pierre Ayott—dated Augt 5 1785 with its enclosures.[1]

16th. Delivered to Mr Wilson a sett of the Journals of Congress from the year 1774 to the 25th August 1785 (77 & 80 excepted).

MS (DNA: PCC, item 181). In the hand of Benjamin Bankson and John Fisher. A continuation of Thomson's Memorandum Book, August 4–30, 1785.

[1] The enclosures have not been identified, but for Ayott's petition and Congress' response to it, see PCC, item 42, 1:67–70; and *JCC*, 29:619, 621, 669n, 692–93, 704.

Samuel Holten to Richard Henry Lee

Dear Sir. New york 8th Sepr. 1785.

I have been honored with your Excellency's attention of the 25th ultimo.[1] & it gives me sensible pleasure to hear that there is a prospect of your health being restored.

The enclosed came to hand yesterday, & from the address I took the liberty to open it, but finding that it did not relate to public business, I have now the Honor of forwarding the same.[2] The most important public business remains much in the same state as when you left us; and this day is assigned for the consideration of the report of the

come. of qualifications, respecting the gentlemen from Rhode Island: said report is in their favor.

I have with perfect respect, the honor to be, your Excellency's most obedient & very humble servant.

FC (MNS: Hiram Putnam Papers). In the hand of Samuel Holten.

[1] Not found.

[2] Holten had been elected chairman to preside over Congress during Lee's illness and sojourn to Philadelphia for the recovery of his health, for which Holten to William Gordon, August 22, note 4.

Charles Thomson to John Jay

Sir, Office of Secretary of Congress, Septr. 8. 1785

On the intimation contained in Your first letter of the 2d, Congress have been pleased to pass an Act of which the enclosed is a copy, vesting you with the necessary powers.[1] It is the desire of Congress that this be kept as secret as the nature of the case will admit, for which reason I have not entrusted it to the inspection of any of the young men in my Office.[2]

In consequence of a report which I this day made, Congress have directed me to return to you the letter of 25 Aug. from Mr De Marbois.[3] When I last had the pleasure of seeing you I explained to you my ideas on that subject. I stated the same to Congress, & they were approved but I did not wish them to be formally agreed to lest Congress might seem to give an Opinion on the question.

With great respect I am, Dr. Sr, Your humble Serv,

Cha Thomson

RC (NNC: Jay Papers). Endorsed: "From Mr. Cha Thomson, 8 Septemr. 1785. (private)."

[1] The "intimation" referred to from the concluding paragraph of the first of Jay's four September 2 letters to Congress reads: "Permit me Sir, also to hint, that there may be Occasions when it would be for the Public Interest to subject the Post Office to the Orders of your principal executive Officers." See *JCC*, 29:680.

Congress had accordingly adopted the following enclosed "Act" on September 7. "Resolved, That, whenever it shall appear to the Secretary of the United States of America for the department of foreign affairs that their safety or interest require the inspection of any letters in any of the post Offices, he be authorized and empowered to inspect the said letters, excepting from the operation of this resolution, which is to continue for the term of twelve months, all letters franked by or addressed to members of Congress." *JCC*, 29:685. For the renewal of this authorization October 23, 1786, see *JCC*, 31:909.

[2] In keeping with Congress' determination to keep this decision secret, Thomson entered this resolution (and the 1786 renewal) only in his Secret (Domestic) Journal, for which see PCC, item 3, fols. 225, 229.

[3] For Thomson's report on the enclosed letter from the French chargé d'affaires, the marquis de Barbé-Marbois, see *JCC*, 29:688; and PCC, item 120, 1:420–22. Marbois had asked Jay "whether french Subjects can purchase and hold real Estate in the United States," and Thomson had reported that it was unecessary for Congress "to give any

opinion on this subject" as the matter was comprehended within the meaning of the existing Franco-American treaty, which had been made public.

In addition to this report on Marbois' letter, Thomson also submitted two other reports to Congress this day, all in consequence of a resolve adopted August 29 transferring additional duties to the secretary and relieving the delegates of the housekeeping chores previously performed by the committees of the week. The resolve simply repealed a congressional rule adopted May 4, 1781—"the 28th rule instituting and specifying the duties of a committee of the week"—and directed "that the said duties be in future performed by the Secretary of Congress." See *JCC*, 20:481, 29:664, 688–89.

Assignment of this responsibility to Thomson was the culmination of a development that had been underway for several years. On the one hand, it had become increasingly difficult to maintain congressional continuity in the face of the constant turnover of delegates and declining commitment to attendance, and on the other, Thomson had become by virtue of his unbroken service as secretary since creation of the office in 1774, Congress' primary source of institutional memory. For the transfer of greater responsibility for congressional correspondence from the presidents of Congress to Thomson in November 1781 and January 1782, see these *Letters*, 18:189–90n, 312n. For additional reports submitted to Congress by Thomson during the remainder of this 1785 season, which are in PCC, item 180, see *JCC*, 29:700–702, 733n, 735–37, 837.

For discussion of other developments bearing on the conduct and responsibilities of the secretary's office, see also these *Letters*, 18:179n, 21:8–9n; and Thomson to Hannah Thomson, April 3, 1785, note 2.

Charles Thomson to the Board of Treasury

Septemr. 9th. 1785.

The Secretary of Congress presents his Compliments to the Board of Treasury and requests the favour of them to cause enquiry to be made in the Marine Office & inform him whether in the latter end of the year 1782 there was any frigate or Vessel of War belonging to the United States commanded by a Captain Gregory, which was Captured by the *Mediator* Capt. Luteral.

The Secretary wants this information that he may be enabled to report on a petition of a Monsieur Barré who sets forth that he was an Officer on board the American Vessel.[1]

LB (DNA: PCC, item 18A).

[1] Le Sieur Barré had submitted a petition to Congress in December 1784 seeking a promotion upon which no action had been taken, and he had submitted a second appeal (June 29, 1785), with a supporting letter from the marquis de Lafayette (April 18, 1785), which was referred to Congress by the secretary for foreign affairs John Jay on September 2. Congress had referred the case to Thomson to obtain additional information on Barré's claim, which he obtained not from the board of treasury but from Joseph Hardy, who had served with Capt. Stephen Gregory before his capture by Capt. James Luttrell and *H.M.S. Mediator*. For Secretary Thomson's September 13 report to Congress recommending against Barré's claim, which was adopted October 6 and referred back to Secretary Jay "to take order," see *JCC*, 29:700–701; and Thomson to Jay, October 6. For Barré's petition and the related letters from Lafayette and Jay, see PCC, item 59, 4:395–408, item 80, 1:377; and *Diplomatic Correspondence, 1783–89*, 1:305–10.

Charles Thomson to James Bowdoin

Sir, Office of the Secretary of Congress, September 10th, 1785

I have the honor to inform you that the Letter of the 30th of March 1784 from His Excellency John Hancock Governor of the Commonwealth of Massachusetts enclosing the Resolves of both Houses of the Legislature of that Commonwealth & a Copy of the Petition of Ezra Badlam late a Lieut. Colonel of the 8th Massachusetts regiment in the service of the United States was duly receivd & communicated to Congress. After full consideration had on the subject I have it in command to inform your Excellency "that as it would in itself be highly improper, so Congress cannot without opening a door to endless applications take any cognizance of Mr. Ezra Badlam's Case nor grant him the relief he prays in his Petition."[1]

With great respect, I have the honor to be, Your Excellency's Most obedt. & most humble servt.,

(Copy) Cha Thomson

Tr (M–Ar: Revolutionary War Letters). Addressed: "His Excellency The Governor of Massachusetts."

[1] Hancock's letter had been laid before Congress April 16, 1784, and referred to a committee consisting of John Beatty, Edward Hand, and Jacob Read, who reported May 11, 1784. The committee's report had been taken up by the Committee of the States July 22, 1784, and "ordered to lie over for the consideration of Congress," but no action had been taken upon it. There is no indication in the PCC why the matter was revived at this time, Thomson's endorsement on the report reading simply: "Sept 9, 1785. Referred to the Secy of Congress to take order." See *JCC*, 26:244n; and PCC Miscellaneous Papers, M332, reel 9, fols. 340–43.

Lt. Col. Badlam, muster master of Continental troops in Massachusetts, had been courtmartialed in August 1782 for "Mustering & forwarding to the Army, as recruits several persons . . . unfit to perform the duties of Soldiers in the Field," and had petitioned the Massachusetts Assembly for relief, believing that he had been the victim of injustice. His Feb. 20, 1784, petition and the assembly's March 16 resolution directing that it be referred to Congress are in ibid., reel 5, fols. 735–39. Hancock's letter to Congress is in PCC, item 65, 2:243–46.

Charles Thomson to Benjamin Hawkins

Sir, Office of the Secretary of Congress, September 10th. 1785

I have received your Letters of the 4th & 25th June and the 9th & 11th of August and also the proceedings of the Commissioners under date of June 11th all which I laid before Congress.[1]

I am happy to find you have assurance that the draft of the Commissioners on Virginia will be paid and that there is a probability of your receiving the remainder of the sum to which you are limited and con-

sequently that the treaty will be commenced according to your Notification. Agreeably to your desire I have written to Mr Perry and communicated to him an extract of your Letter of the 11th August.[2] I presume you are informed that Mr. D. Carroll declined his appointment and that Genl McIntosh has been elected in his stead.[3] Having nothing in charge from Congress I heartily wish you success in your negociations and am, Sir, Yours &c. C.T.

LB (DNA: PCC, item 18A).

[1] None of Hawkins' letters nor these proceedings of the Indian commissioners is in the PCC.

[2] The following letter from Thomson to William Peery, not Perry, is in the secretary's letterbook, PCC, item 18A, fol. 148.

"I received yesterday a Letter from Mr Hawkins dated at Charleston the 11t of August, in which is the following paragraph.

"'The evening after I had written my Letter of the 9th I received one from Mr. B. Randolph informing the Commissioners that their draught for eight thousand dollars would be paid at the Treasury of Virginia—consequently the Treaties will be commenced according to our notitication. The Legislature of this state are to meet in September and from them and the State of North Carolina we probably shall be able to receive the remainder of the sum to which we are limited.'

"Mr Hawkins informs me he has written to you but lest his Letter should miscarry, he wishes this information to be communicated to you from this Office."

[3] See Thomson to Lachlan McIntosh, May 18, 1785.

Richard Henry Lee to John Jay

Sir, Philadelphia September 11th. 1785

I had the honor of receiving this morning your favor of the fourth instant concerning the letter from Count de florida Blanca to the President of Congress, which was delivered to me by Mr. Gardoque.[1] Having considered that letter as a public one, I deliverd it to Congress, and it now remains with their Secretary, if he has not sent it to your Office. I do not precisely remember the contents of the letter, and viewing it in the light of a public one, I have two difficulties, which I pray your assistance to remove. As a public letter, it would seem that the sentiments in answer should be dictated by Congress—As a private one, I should know exactly its contents which I do not. I shall be very happy to have your sentiments on this occasion after you have seen the letter; and I will readily pursue that course which your better knowledge of such business shall point out to me.

Be pleased Sir to accept my thanks for your obliging wishes for the restoration of my health which is much mended since I have drank the waters in the vicinity of this place. My compliments, if you please, to Mr. Gardoque.

I have the honor to be, with sentiments of much esteem and regard, Sir your most obedient and very humble servant,

Richard Henry Lee.

RC (DNA: PCC, item 78).

[1] Jay's letter is not in the PCC, but the enclosed October 8, 1784, letter from the conde Floridablanca to the President of Congress introducing Don Diego de Gardoqui is in PCC, item 97, fols. 262–65. Lee's file copy of an English translation of the letter is in the Lee Papers, PPAmP (Lee Family Papers microfilm).

For the submission of Floridablanca's letter to Congress and referral to Secretary Jay on October 4, and Jay's October 6 report, see *JCC*, 29:807n, 809. For Lee's response to the Spanish foreign minister, which with minor variations is the draft reported by Jay, see Lee to Floridablanca, October 6, 1785.

Elbridge Gerry to Thomas Jefferson

My dear sir, New York 12th Sepr 1785

I intended by the last packet to have answered your Letter of the 11th of May,[1] for which I am much indebted to you: but was accidentally prevented by her having sailed the Day before I expected it. I cannot account for the Detention of your Letter by Colo. Le Mair:[2] And will give you notice, if the Commissioners' Letter by him to Congress, has not been received. Your Reasoning, respecting *Entrepots* corresponds with my own Ideas of the Subject: I cannot see any great Advantages from multiplying *them* in Times of peace: in War they may be more useful. With Respect to the commercial arrangements of the Court of France, in the West Indies, however favorable they may be veiwed by some, they affect our Fishery & have a direct Tendency to discourage it. A Duty on our Exports of Fish, applied as a Bounty to encourage theirs, is a Rule that has a two fold operation & has been very alarming. This I suppose was the Cause, why an Act of Massachusetts which originated before I left the State, to retaliate british restrictions, has since my arrival here been extended to other Nations. With Respect to the Oyl Contract, it does not raise the Expectations of those who were to be at the Head of it, in this Quarter, so far as to engage them in an Adventure. At least Mr Wadsworth &c appear to be cool about it, whether to secure the oyl at a cheaper Rate or from Motives of Dislike, I am unable to determine. Be this as it may We are not the less obliged to our good Friend the Marquis, to whom pray present my affectionate Regards. The provision obtained in the Treaty with Prussia, appears to me of great Importance. The advantages You mention & I think many others will result therefrom.

We have done very little in the present Congress. The Want of a full Representation has retarded all & prevented an adoption of the most

important fœderal Measures. The Requisition labours exceedingly, & I am apprehensive of an Adjournment without compleating it. Congress appear to be in earnest respecting a Mint, which the Board of Treasury have under Consideration. They are to digest the several plans and reduce them to System. Mr. Jay is conducting the Negotiation with Mr. Gardoqui, the Spanish Encargado de negotios. Western posts in statu quo. General Howe is added to the Indian Commissioners & the Treaty is soon to be held. Colo Monroe left us, to attend it on private Considerations. In short both Congress & the States seem to lie on their Oars, & this political Calm will soon produce I hope an Exertion that will be worthy of both. Congress have adopted the plan of conveying by the Stages, the Mail from N. Hamshire to Georgia & from this City to Albany. Inclosed is a paper containing the Correspondence between Governor Bowdoin & Capt. Stanhope, who commanded a british Frigate. It is not correct, but substantially the same. Congress have taken the Matter up & directed Mr. Adams to lay it before the King of G. Britain.[3] Adeiu my dear Sir & be assured I am on every Occasion, your affectionate Friend, E. Gerry

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 8:515–17.

[1] For this letter, see ibid., pp. 142–45.

[2] At this point in the margin Gerry wrote, "I am informed at Mr Jays office the Letter was received."

[3] For Congress' decision to submit this correspondence between James Bowdoin and Henry Stanhope to the British ministry, see Charles Thomson to James Bowdoin, August 20, note.

Charles Thomson to John Jay

Sir. In Congress. Sept. 3d [13?] 1785.[1]

I am directed to request You to send up the letter written to You by Messrs. Sears & Smith respecting Richard Soderstrom.[2]

I am, Sr, Your humble Servt CT.

LB (DNA: PCC, item 18A).

[1] The date of this letter as recorded in Thomson's letterbook is obviously in error. It pertains to an issue taken up in Congress September 12 and referred to Thomson on the 13th. And it was copied into the letterbook following one to Gov. William Livingston dated September 23. It may well have been written either the 13th or 23d, but unless further evidence can be found the date can only be conjectured.

[2] For the Soderstrom incident, which arose in February 1785 when the New York firm of Sears & Smith charged that Soderstrom had obtained registration of his commission as Swedish consul to shield himself from a suit brought by them, see Thomson to Jay, March 2, 1785, note 1.

The affair seemed to have been closed in May, but was raised again September 12 when a September 8 letter from Soderstrom was read in Congress requesting copies of papers related to the case, especially the representation of Sears & Smith. Congress immediately referred the matter to Thomson, who recommended the following day that

Soderstrom's request be referred back to Jay. The recommendation was apparently not acted upon until October 4, when Soderstrom's letter was referred to Jay to report, which he did October 6. See *JCC*, 29:691, 702, 796n, 807n, 812–13; and PCC, item 78, 21:435–38.

Charles Thomson to the Indian Affairs Commissioners, Southern Department

Office of the Secretary of Congress
Gentlemen, September 14th. 1785

I have the honor to send you herewith enclosed an Act of the United States in Congress Assembled, empowering you to draw upon the Treasury of the United States for such balance of the sum to which you are limited as it may not be in the power of the Executives of the States to furnish, on which you were formerly authorised to draw.[1]

With great respect, I am, Gentlemen, Your most Obedt & Most hum servt, C.T.

LB (DNA: PCC, item 18A).

[1] For this September 12 resolve, see *JCC*, 29:690–91.

William Grayson to James Madison

Dear Sir. New York 16th Sepr. 1785.

I opened your letter directed to Colo. Monroe in the first instance,[1] & forwarded the inclosed letters to France, in the public Mail, as I could not hear of any private gentlemen going to whom I could with propriety intrust them.

I have recieved your letter from Philada.[2] & I heartily wish it may suit your Convenience to visit this place, as it will give me particular satisfaction to have the pleasure of seeing you. Exclusive of this I could wish to consult you on some particular Matters respecting the State. The requisition is now in the last stage: it is formed on principles to suit only the Eastern & some of the Middle States; There seems also to be a radical unwillingness to allow us for our assumptions, although the debt was created for Continental uses; and a proposition (wherein the interest was dropped for the present) has been negatived by a considerable majority.[3] The Delegation is strongly impressed with the necessity of supporting public credit; they notwithstanding as well as the delegates of some other States, hesitate to pass the requisition in it's present form. They could wish it was made conformable to the different interests of the Union, & that certain principles might be adopted to facilitate the settlement of the general ac-

count. With respect to myself I never admired the idea of facilities:[4] the word implies a payment less than the thing itself: an inundation of a kind of paper money is also to be feared: but for the sake of peace I have been willing to consent as far as one third which is more than the Southern States can ever derive any advantage from.

We have lately recieved a letter from the Governor inclosing one from Solicitor Wood furnishing a melancholy picture of the situation of the public accounts.[5] The Continental Comm. objects to every thing; says he can't proceed witht. fresh instructions & I fear it is not in our power to obtain such principles as will enable us to bring forward our Accounts. There is also a heavy party here for obliging the States to settle by a particular day, or to pay interest to those who do.

I every day discover more & more the impropriety of remaining longer at this place. It is clear to me that it has an undue influence on our proceedings. Some of the Southern States begin at length to percieve this, & I hope it will not be long before the whole will view it in the same light. My best complimts. to Mrs. House and Mrs. Trist: her arrival among her friends has given me the most sincere satisfaction. In full expectation of seeing you, I remain yr. Affect. frd. & Most Obed Sert. Willm. Grayson.[6]

[*P.S.*] 5 Copies sent of the tryal.[7]
Nothing from Adams.

RC (DLC: Madison Papers).

[1] Not found.

[2] Not found.

[3] For the disallowal of these "assumptions," see James Monroe to Madison, July 12, note 1.

[4] For an explanation of "facilities," see James McHenry's Committee Report, ante March 31, note.

[5] For Patrick Henry's August 12 letter and the report from Solicitor Leighton Wood, Jr., see Henry, *Patrick Henry*, 3:314–16; and *Cal. of Va. State Papers*, 4:48.

[6] On August 14 Grayson had sent an order on his account to Virginia treasurer Jacquelin Ambler for £30 Virginia currency in favor of Alexander Dalrymple Orr. On September 8 and 12 he also sent Ambler orders for £140 in favor of Col. Josiah Parker and £40 in favor of William Herbert, Esq. Account Vouchers, Vi.

[7] Not identified, although the editors of Madison's papers speculated that Grayson had obtained the trial proceedings in the Longchamps-Marbois affair. Madison, *Papers* (Hutchinson), 8:365n.7.

William Hindman to Christopher Richmond

Sir New-York Sept. 16th. 1785

Inclosed is the Discharge of a Soldier belonging to the State of Maryland, which He has requested Me to transmit You for the Purpose of obtaining a Certificate for the Depreciation due him thereon.

You may issue it either in his Name or mine as most agreeable to You—it is the Wish of Mr. Ingram that it might be issued in my Name.[1] I shall thank You to inclose Me the Certificate as soon as You conveniently can, as it is uncertain how long I may remain here, & send it by the Post to this Place.

I am, Most respectfully, Yr. very humble Servt.,

Wm. Hindman

RC (MdAA: Executive Papers). Addressed: "Christopher Richmond, Esqr., Auditor-General, Annapolis."

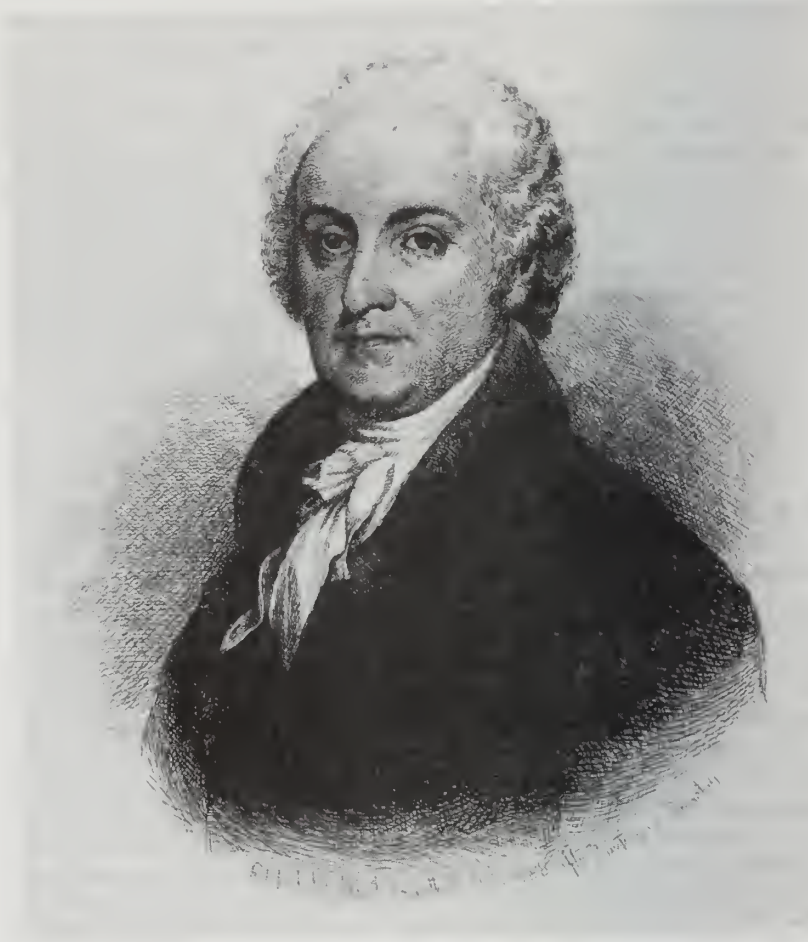
[1] In his Septemher 26 reply, Richmond enclosed Sgt. Abraham Ingram's account and a certificate for his depreciation requesting the account be returned with Ingram's receipt, but informing Hindman that he could not "issue the Certificate in your Name, because the Account and it will not compound." Besides, "it would not look so well to see your Name stand as a Soldier of the Maryld. Line." Ibid. On October 10 Hindman returned Ingram's receipt and thanked Richmond "for the genteel & proper Rap given Me, in requesting the Cert to be issued in my Name. I doubted its Propriety, but was led to it from a Gentleman's telling Me, He had purchased Soldier's Rights & would have the Cert issued in his Name as Assignee." Ibid.

Rufus King to Nathan Dane

My dear Sir, New York 17th. Sep. 1785.

You are sensible that I have been too intimately acquainted with your political industry, and information, not to be well satisfied with your appointment to Congress—you must therefore accept my cordial congratulations with full belief of my sincerity. I pray you to re-examine the motives of the Legislature in recommending to congress, to propose to the several States a convention of Delegates for the express purpose of *a general revision of the confederation,* and to communicate to me the result of such investigation.

It is true, that additional commercial powers vested in congress, under proper restrictions, and for a limited Time, is an object greatly to be desired; but it is, and I believe will continue to be, the reflected opinion of many, of the most republican, and best informed men, in this country that such delegation of power should be for a limited Time. If the measure upon experiment is found to be good, it may then be incorporated with, and become a part of the Confederation. The commercial Treaties formed, and forming, between the states, and the powers of Europe, are limited to the Term of fifteen years—the expiration of that Term will give a new commercial Epoch—a delegation of powers to congress for that term would be therefore highly proper. If the confederation is generally submitted to a revision, I foresee many and important Difficulties. The report will certainly be a confederation less republican than the present one. The larger States when the present confederation was adopted, objected to the



Rufus King

admission of the smaller ones upon equal rights with themselves. The surrounding dangers at that period, induced *these States* to give up their objections, and the small States came in with rights equal to the large ones. But at this Time, was the question again open to decision, the same objections would be made, the real inconvenience experienced, and the increasing principles of aristocracy, would strengthen them, and I think we should by the measure be thrown into total disunion. These, and many other objections, which occurred to the Massachusetts Delegates, have been stated in a Letter to Mr. Bowdoin, with a request that he would communicate them to the Legislature.[1]

I wish you to examine that Letter, if the observations there made, are conformable to your own opinion, I am confident you will join in the sentiments of the Delegation; if not, be obliging enough to state the reasons which overbalance them.

I have not yet heard who of the Delegates appointed for the next congress have accepted—will you inform me?[2] I hope and wish that you will not decline—if the Delegates are such, as I think I can serve with in peace & friendship, I will continue another Year—*otherwise* if men of different Politicks from those which you and I should certainly agree in.

With great esteem & friendship, Your obt. servt.,

Rufus King

RC (DLC: Miscellaneous Manuscripts).

[1] See Massachusetts Delegates to James Bowdoin, September 3.

[2] For Dane's October 8 response, see King, *Correspondence* (King) 1:67–70. Nathaniel Gorham, John Hancock, Theodore Sedgwick, Dane, and King had been elected by the Massachusetts General Court on June 16, 1785, to represent the state "for one year, to commence the first Monday in November next." See *JCC*, 29:876.

Rufus King to John Lowell, Theophilus Parsons, and James Sullivan

New York 17th. Sep. 1785

No answer has yet been received from Mr. Flemming or Mr. Sitgreaves; and the difficulty is increased by a Letter from Mr. Johnson of Maryland yesterday received, declining a Seat in the federal court—stating as a reason that his engagements are such that he cannot attend at Williamsburgh in November.[1] The resignation was not accepted; the letter is filed, & if we are so unfortunate as to be disappointed of a court in November, perhaps Mr. Johnson may be induced to continue in commission. I fear we shall not soon see an issue of this business.

With entire respect, and esteem, I have the honor to be your obt. servt.,

Rufus King[2]

RC (MH–H: bMS Am1649.5). Addressed: "Mr. Lowell, Mr. Sullivan, Mr. Parsons."

[1] Thomas Johnson had just responded to Charles Thomson's June 21 letter notifying him that the Williamsburg trial for determining the Massachusetts–New York western land controversy had been rescheduled from June to "the third Tuesday of November next." He had, he explained, already gone to Williamsburg as originally instructed before receiving Thomson's notice, and would be unable to make another such journey in November. See PCC, item 78, 3:351–53; *JCC*, 29:707n; and Charles Thomson to Thomas Johnson et al., June 21, 1785.

[2] This day King also wrote the following letter to an unnamed newspaper publisher, perhaps John Mycall of Newburyport, Mass., printer of King's hometown paper the *Essex Journal*. The enclosed newspaper advertisement has not been identified, but it was undoubtedly the product of Congress' September 7 directive to the postmaster general, Ebenezer Hazard, "to enter into contracts . . . for the conveyance of the different mails by the stage carriages, from Portsmouth, in the State of New Hampshire, to the town of Savannah, in the State of Georgia, and from the city of New York, to the city of Albany in the State of New York." See *JCC*, 29:684–85; and William Grayson to James Madison, August 21, note 4.

"A news paper of this date which I inclose, contains an advertisement from the General post Office relative to a transportation of the mail by the stages. It may be convenient that this advertisement should be made public in your quarter; the extensive circulation of your very valuable paper induces me to wish that you would insert it." Irving's *Life of Washington*, Nathaniel Paine Collection, MWA.

William Samuel Johnson to Samuel William Johnson

Dr. Billy, New York Septr. 18th. 1785

I did not receive yr. favour of the 12th accompanying Johnston's of the 9th Instt. till yesterday.[1] It gave me much satisfaction as it informs me that yr. dear Mamma began again to recover her Spirits, as I shall express her, & hope she will not again, suffer them to subside. Your observation is just that her active Mind must have employment, & I hope she will constantly find some that may keep her busy, & at the same time not be too fatiguing. I do by no means give up the Burmuda scheme, but wish Capt. Bascombs further Intelligence may arrive before you decide, & hope it may come to hand before it be necessary to give Genl. Parson's a final Answer. The proposal has certainly many promising Circumstances to recommend it.

Tho I am loath to Distress Capt. Nicholls yet I am very unwilling to loose the debt, & leave it with you to do as you think best. Perhaps it may be well to write him that he must give security or the Debt will be put in suit but that as you please.

I must say much the same with respect to Coll. Allen. I wish to be secure, but not to distress. You have written to him I suppose, & wish you to conduct as you may Judge best all circumstances considered. I have long been acquainted with the dispute between him & Coll.

Fitch, & think it very probable that the Execution is much too large, but at the same time very doubtful whether he will ever be able to make it appear. It is expected the Susquehannah Affair will come before Congress tomorrow.[2] I shall therefore be extremely busy the remainder of this Evening & in the Morning reviewing the Papers & preparing that business, I can therefore only add that I hope you have had an agreeable Commencement, & that I am with tenderest Love to you all, yr. most affectionate Father, Wm. Saml. Johnson

RC (CtHi: Johnson Papers).

[1] Johnson had also written to Billy on September 11. "I enclose you my List, which includes yours also," Johnson had explained in a section concerning taxes, "which sho'd I suppose be given in to the Listers in a few Days. I have put in only yr. Head & labor, supposing my own to be exempted. Prince is superanuated & Charles is also exempted till he takes his second Degree, but this you need say nothing of to the Listers unless Question'd about it. Nor of Charles's Horse which I have omitted, supposing that as he is exempted his little property may escape with him. Perhaps you may think it best to say something to them upon the subject of Faculty from which I think we might both reasonably be excused, as I have been engaged almost the whole Year in public service; to the great prejudice of my private affairs, & your health has been such as to prevent you from practising, & even compel'd you to go abroad. But after all they will do as they please about it, as probably we are neither of us so circumstanced as to enable us to dispute it with them at Law." Johnson Papers, CtHi.

[2] For Johnson's involvement in the efforts of the Connecticut settlers in the Wyoming Valley to resist the pretensions of Pennsylvania and to obtain a Continental settlement of their claims, see Johnson to William Judd, August 19; and *Susquehannah Co. Papers*, 8:xxvii–xxviii.

Pierse Long to John Langdon

Sir, New York Sept. 18th. 1785

I do myself the Honr. to enclose the copy of a resolution of Congress in consequence of your delegates requesting a loan of Cannon &c. agreable to your directions to them—as soon as the Secy. at War reports thereon which we daily expect, we shall Renew our motion and inform you of its effect.[1]

Congress have no dependence on a commercial treaty being concluded with G Britain. We have evidence to the contrary. I am not at liberty to say from whom. But useing the expression of Our informant—we must regulate trade in such a manner as to make it the interest of Foreign nations to propose reciprocal measures,[2] at present that power is delegated to Congress but by a few states. Doctr. Franklin arrived at Philadelphia (in Health) on Wednesday, expect him in this City very soon. I have the Honr. to be with sentiments of Respect and Esteem, Your Excellys. Most Obt. & Very Humbl. Servt.

Pierse Long

RC (Nh–Ar: State Papers, Revolutionary Correspondence).

[1] On September 6 Congress had directed the secretary at war to make "an exact return of all cannon. . . ." On October 4 the New Hampshire delegates submitted a motion requesting "sixteen pieces of Brass Field Artillery and eight ammunition waggons," which was referred to a committee that reported against the request the following day. An effort by Long on November 2 to salvage something for the state by halving the request also failed, and the committee's recommendation rejecting the original request was adopted. See *JCC*, 29:681, 806–8, 866–68.

[2] Long is undoubtedly referring to John Adams' June 26 letter on "the views of B[ritain] respec[tin]g the treaty of Commerce—and the line of Conduct that ought to be adopted by America," which was received September 13 and referred to committee on September 22. See *JCC*, 29:737n; and PCC, item 127, fol. 161. The letter is in PCC, item 84, 5:522–28, and *Diplomatic Correspondence, 1783–89*, 2:385–87.

Samuel Holten to Stephen Choate

Dear Sir, New York 19th Sepr. 1785.

I shall make no other apology for this address, than assuring you that personal respect is my only motive, in mentioning a matter to you, that respects me personally, which I have not communicated to any other person belonging to the honorable Senate.[1]

I conclude, you are sensible that in the last appointment of delegates to represent Masstts. in Congress, I was passed unnoticed; His Excellency the Governor and some others of my friends has informed me that they apprehended, the reasons for it, were, that the members of the Court in gen[era]l supposed I was not eligible; but as it is to be presumed that the honorable Court is always acquainted with their own records, & that by them it must appear, that I had been electd. but for two years since the confederation took place, therefore, some others reasons which I am unacquainted with, may have operated against me: if any thing has been said against my moral or political character, that has come to your knowledge, you would lay me under obligations, if you would (as a friend) hint them to me; for notwithstanding the honor Congress has done me and the obligations I am under to them at this time in consequence thereof, I should not be content to tarry here, if I had reason to believe, that my return immediately would be more agreeable to my constituents.

With the most perfect consideration, and respect I have the honor to be, your sincere friend & humble servant

P.S. Is my worthy friend, Mr. Goodhue in the Senate this year.[2]

FC (DLC: Holten Papers). In the hand of Samuel Holten and addressed by him: "Honorable Step. Choate esquire."

[1] Holten of Danvers and Choate of Ipswich had served together representing Essex County in the Massachusetts Senate the preceding year, and Choate had been reelected

for the 1785–86 term as well. *Journal of the Massachusetts Senate,* 1784–85, p. 3; ibid., 1785–86, p. 3. DLC(ESR).

[2] Benjamin Goodhue had represented Salem in the Massachusetts House of Representatives in 1784–85 and had been elected to the Senate for Essex County in 1785–86. *Journal of the Massachusetts House of Representatives,* 1784–85, p. 2; *Journal of the Massachusetts Senate,* 1785–86, p. 3. DLC(ESR).

Rufus King to Daniel Kilham

My dear friend, New York 19th Sep. 1785

I am uneasy that you do not write to me more frequently, I fear you have embraced some erroneous sentiments concerning your own Affairs, which embarrass you more than you ought to allow them to. If this is the case, the conduct is unworthy of you—from the Stile of your letters, my knowledge of your Disposition, and the unimportant disagreement which you was party to last winter, I apprehend you are not content in your present situation.

I requested you to write to me with the utmost freedom, perhaps it may be beneficial—if you entertain any discontented sentiments, communicate them to me—by preserving them uncommunicated in your own bosom, be they ever so false or erroneous, you are takeing the proper methods of giving yourself all possible unhappiness.

I wish most sincerely that I could converse with you, was it only for a few moments; but I apprehend this event is not so near as we both could desire.

The remark of my dear, and particular friend, is very just; and as Elegant as her thoughts always are—give for Me the strongest assurances of unchanging attachment to unequalled merit. I suffer in seperation—and that Distress is aggravated by the declension of their Affairs.

I have only time to add assurances of my friendship and Respect,

Adieu, R King

RC (NNC: King Collection).

Massachusetts Delegates to James Bowdoin

Sir, No 5 New York 20th Sepr 1785

We are honored with your Excellency's Letter of the 10th Instant, inclosing sundry papers relative to Encroachments made on our eastern Boundaries, & have communicated the same,[1] together with the paragraph of your Letter that respects Capt Stanhope,[2] to Congress. Their Attention to the Requisition, in Consequence of a fuller Representation, has so absorbed their Time, as to have hitherto prevented

their passing on a Report, for ascertaining & settling these Boundaries; but no Exertion shall be wanting on our part to obtain a Decision of Congress, on that & other important Matters relative to the Common Wealth.

We hope that three Letters, which We addressed to your Excellency, in addition to that which respected Capt Stanhope's affair, were duly received, &, We have the Honor to assure You sir, that We remain with the most perfect Esteem & Respect, your Excellency's most obt & huml serts,

E Gerry

S. Holten

R King.

RC (NNPM: Signers of the Declaration Collection). Written by Gerry and signed by Gerry, Holten, and King.

[1] Governor Bowdoin's letter to the delegates is not in the PCC, but for transcripts of its enclosures, see PCC, item 124, fols. 161–67. These were submitted to Congress and referred to the secretary for foreign affairs on September 19, whose September 22 report was read September 24. The report was not formally adopted, but on motion of the Massachusetts delegates, Congress resolved on October 13 to instruct John Adams to seek an adjustment of the United States–New Brunswick boundary "consistent with the true meaning of the definitive Articles of Peace and friendship between the United States and his Britannic Majesty." See *JCC,* 29:721n, 753–54, 828–29; *Diplomatic Correspondence, 1783–89,* 2:431–54; and Massachusetts Delegates to Bowdoin, October 17. See also Thomas Mifflin to John Hancock, January 31, 1784; Rufus King to Samuel Adams, February 25, 1785, note 2; and King to John Lowell, April 25, 1785. For discussion of this controversy in the context of the evolution of Anglo-American relations at this time, see Alfred L. Burt, *The United States, Great Britain and British North America, from the Revolution to the Establishment of Peace after the War of 1812* (1940; reprint ed., New York: Russell & Russell, 1961), pp. 74–79.

[2] See Massachusetts Delegates to Bowdoin, August 18, note 1; and Charles Thomson to Bowdoin, August 20, 1785.

William Samuel Johnson to Samuel William Johnson

Dr. Son, New York Septr. 21st. 1785.

I have now to acquaint you that Genl. Parson's is Elected one of the Commissioners for holding the Indian Treaty & it is expected, if he Accepts the Appointment, that he will set out immediately.[1] It will be therefore for you to determine whether you will go with him upon this Tour or not. I do not at present know that upon this Commission he can give you any appointment under him to help you to bear any part of your Expences, tho' on the other to Virginia he can Appoint you his Clerk. Another thing is, as the delays which have happened will probably occasion the Treaty to be postponed for some time, I fear it will be thrown so far into the Autumn & Winter, as to render it very uncomfortable being in that Country so unsettled as it is, & so

unprovided with Conveniencies as you must unavoidably be, & that it may rather prejudice than benefit you in point of Health, or at best that the Tour must be attended with much fatigue. If you see the matter in this light (for I only suggest circumstances to be consider'd of, & after all wish you to determine as shall appear most agreeable to yourself) & the General sho'd call upon you, you will decline going on with him in the Execution of this Commission, but, as far as may be consistant, reserve a right to attend him in Virginia, whenever you shall be inform'd of his enterring upon that business, which I presume you would incline to unless you adopt the Burmuda plan. But I do not know that it will be necessary to acquaint him at present that you have the latter at all in Contemplation. I throw these things out for consideration, in great haste, lest you sho'd see the Genll. before I do, & am with the tenderest Love to all, yr. most affectione. Father,

Wm. Saml. Johnson

RC (CtHi: Johnson Papers).

[1] Samuel Holden Parsons was elected commissioner "to negotiate with the western Indians" this day, having been nominated previously by Johnson, and he accepted the post October 10. See *JCC*, 29:576n, 725, 816.

Charles Pettit to Nathanael Greene

Dear Sir, New York 21st. Septr. 1785

The inclosed Letter from Mr. DeBerdt came under cover to C. & A. Pettit at Philada. & has been sent to me to forward to you. I presume it advises you of the noting & probability of Protest of the Bill you remitted for £180 Sterlg. and of Payment or Acceptance of the smaller Bill of £116.

Having relied on these Bills as an effective Remittance for monies due to him before their Arrival, Mr. DeBerdt is rather impatient on the Occasion, especially as the London Merchants trading to America are really hard pushed on Account of the Disappointments they experience in Remittances. From these Circumstances & his Connection with Mr. Reed's Family,[1] I am particularly desirous to replace the Money as early as may be, & especially as we shall yet owe him a farther Balance. I must therefore beg your Attention to this Matter as early as may be, for tho' we pay him Int[eres]t for the Delay, it is urged that this is far short of a Compensation for the Shock it gives to Credit. I am therefore persuaded you will give it no unnecessary Delay.

Dr. Franklin's Arrival in Phila. seems to give general Joy.[2] I know of no one who has, politically, more real occasion for rejoicing than I have, as an opinion had generally prevailed that I was to be a Candidate for an Office which he will probably obtain by general Consent. And tho' I had been explicit with my Friends in refusing to approach

the Steps of elevation, & had obtained the Promise of divers of them not to permit my Name to be run, yet the Opposition, not being ascertained of this, would have issued plentiful Showers of Filth at & before the Election, which I hope will now be with held.

My Respectful Regards wait on Mrs. Greene and my Love to George. I am, Dr Sir, Your most obt. Servt, Cha. Pettit

RC (CtY: Franklin Papers).

[1] Dennis DeBerdt, a London merchant and son of the former American colonial agent Dennys DeBerdt, was the brother-in-law of the late Joseph Reed. John F. Roche, *Joseph Reed, A Moderate in the American Revolution* (New York: Columbia University Press, 1957), pp. 18–19, 215–18.

[2] Benjamin Franklin's return to America also occasioned the following brief letter to him from Charles Thomson this day. "Being deprived of the pleasure of waiting on you in person, I embrace the earliest opportunity, with all the warmth and all the sincerity of friendship to congratulate you on your safe arrival and heartily welcome you to your native country." Franklin Papers, PPAmP.

Massachusetts and New York Agents to Congress

Dated 22d September 1785

To the Honorable the United States of America in congress assembled, the subscribers, Agents of the States of New York and Massachusetts beg leave to represent that they have agreed upon the Honorable William Hooper Esquire of North-Carolina to be a Judge instead of the Honorable James Monroe Esquire, who hath declined his appointment to sit in a federal court for the trial of a controversy between the said States of Massachusetts & New York,[1] which controversy is suggested in the petition of the former now on the journals of congress. And thereupon the said Agents do humbly request that Notice hereof may be given to the said William Hooper Esquire, and that upon his acceptance, a Commission may be issued to him, together with the Honorable Thomas Johnson, George Wythe, George Read, Isaac Smith, William Patterson, Samuel Johnson, William Fleming, & John Sitgreaves Esquires, constituting them a Court according to the confederation, to hear and determine the controversy aforesaid.

Agents for Massachusetts	Jas. Duane John Haring Melancton Smith Egbt Benson	Agents for New York

FC (NHi: Duane Papers). In a clerical hand, with signatures, date, and endorsement by James Duane. Endorsed: "Agreement between Agents of New York and Massachusetts for appointing the honorable William Hooper Esqr one of the Judges of the federal Court."

[1] No letter from Monroe formally declining this appointment, which he had accepted March 20, has been found, perhaps because he may have simply announced his resignation orally when he left New York on August 25 to begin a trip to the West which occupied him until mid-December.

Charles Thomson to Samuel Holden Parsons

Sir, Office of Secretary of Congress, Septr. 22. 1785

I have the honor to inform you that the United States in Congress assembled have been pleased to elect you one of the Commissioners for negotiating with the Western Indians.[1] I enclose you the act ascertaining the allowance for the service of the Commissioners while employed on the business.[2] As the commissioners heretofore entrusted with the negotiation have notified the Indian Nations of the time and place of meeting and it is expected they will attend at the time fixed which is some time in the beginning of next month, it will be necessary for you to come here with all possible expedition to receive your Commission & proceed from hence to the Ohio where the Conferences are to be held.[3]

With great respect, I have the honor to be, Sr, Your obedt humble Serv, CT[4]

LB (DNA: PCC, item 18A).

[1] See *JCC*, 29:725.

[2] *JCC*, 26:154.

[3] Parson's October 10 letter to Thomson accepting this appointment, and requesting an advance on his salary to pay the costs of his trip to the Ohio country, is in PCC, item 78, 18:591–94.

[4] The following day Thomson also notified treasury commissioner Walter Livingston that he had been granted "leave of absence for fifteen days" according to his request. See *JCC*, 29:738; and PCC, item 18A, fol. 152.

William Samuel Johnson to Samuel William Johnson

Dear Billy, New York Septr. 25th. 1785.

I was much surprised to find that I had not enclosed the Accounts, which must have been occasion'd by my closing my Letter when I had Company about me talking about their affairs. I will endeavour not to omit again enclosing that of Mr. Stow. The one of Thomas it seems you have recover'd & will forward, only you may give him Credit for Eight Dollars, which he told me at Stratford he had paid me, & tho' I do not find any entry of it I would not dispute with him about it.

It may be difficult for you to make out a List of Mr. Apthorps Papers in my Absence, if Mr. Hillhouse could point out such as he immediately wants, you could see if they are there, & send them to him, for the remainder I sho'd chuse it to rest till I come up in October, & may probably then see him.

I believe I mention'd to you that I expected the House would fetch £100.0.0 & sho'd not chuse to offer it for less till I can talk with my Friends & Acquaintances at N. Haven upon the subject. But if I can get a good price for it, shall be willing to make the payments easy, say three or four year, at equal Installments. But in that Case we must expect good security either by Mortgage or Bondsmen for we ought not to Trust so long to the single security of a Gentleman in Trade with whose real Circumstances it is so difficult to be acquainted.

The Salt Hay I expected might all be let out at the usual Rate of one third deliver'd in the Barn. Henry is to have what he wants, & the reainder in the Common Meadow, including that of Osborn's, may be offer'd to Ephm. Burrith who knows it, or any one else. The Lordship I expected to Mow very little of, & if it is not likely to be taken on shares, as I imagine it is not, may be offer'd gratis, as it is an advantage to have it Mow'd. Mr. Kay must not be forgotten, who must also have what he wants, both of the Salt Hay & Lordship.

Since the time limited for bringing a Writ of Error is elaps'd, I do not see what Vaughan can do, other than to Petition the Assembly, that he may be restor'd to his Property upon paying the purchase Money given for it on the sale under the Confiscation, pursuant to the Article to that effect, in the Treaty of Peace, & perhaps it may be best for him to Tender the Money to Towner, or whoever is the present owner of the Land, & request a reconveyance of the Estate, before he brings a Petition, tho' I do not consider this as absolutely necessary.

The only objection, you know, against pressing payment of Miller's Execution against Rowland is the counter demand he has against Miller, upon which, if I do not forget, a suit is depending in which I am Cited as Agent, Factor, & Trustee. Let Mr. Hurd therefore talk with Mr. Rowland, & after that, if he thinks it best upon the whole, he may press the payment of the Execution, but, if there be such suit as I have mention'd depending against me, before he receives any of the Money he must Indemnifie me against the suit, & all loss & Damages I may incur thereby.

I thank you for your favour by Mr. Verplank & Betsey, who arriv'd here last Night in the height of the Storm, but do not seem to have suffer'd any injury by it, tho' they are fatigued with the Journey. Jos. Munsons Note was not enclosed in your Letter, but probably Verplank has it & tho' I have seen him I did not think to ask him about it, and even if it sho'd not have come by this conveyance, it is not material, as Franklin is at Philadelphia, & it may be some time before I have an Opportunity to see him or send it to him.

I wish I could relieve you from your present suspence, upon clear & satisfactory grounds. A little time I hope will do it, as Capt. Bascomb tells me he soon expects to hear from his Friend in Burmuda, & I am unwilling yet to give up that plan, which has many strong inducements in its favour. Mean time I have in my last acquainted you with Genl. Parsons destination, & suggest'd my apprehensions that the Indian Treaty may be attended with too much fatigue for yr. present state of Health. This however you can better Judge of than I, & if upon the whole you chuse to decline it, that with the Circumstances you mention of there being no apparent fund for yr. Expences, must be sufficient excuses with the Genl. At present, I confess, it appears to me more eligible to go to Burmuda than to the Treaty, unless the General can offer stronger inducements, & give better Answers to those Objections, than any that occur to me at present. After all, you will not forget that I lay much stress upon your own Inclinations, in determining such Questions as these, for Nill invita Minerva is a good Maxim. If Capt. Hoit has not sail'd to day I may probably send the Porter by him, which Mamma desires, as Dr. Nicoll tells me he shall have things on Board him which must go round by water from New Field. I am with tenderest Love to all the family, yr. Most affectionate Father,

Wm. Saml. Johnson[1]

RC (CtHi: Johnson Papers).

[1] Johnson also wrote to his son again on October 5 concerning similar business, legal, and family matters. Johnson Papers, CtHi.

Virginia Delegates' Bond for Arthur Lee

[September 26, 1785]

Know all men by these presents that We, Samuel Hardy, William Grayson, James Monroe[1] and Richard Henry Lee of the State of Virginia are held and firmly bound unto the United States of America in the sum of one hundred thousand dollars, which sum we bind ourselves, our heirs and Executors jointly and severally to pay or cause to be paid to the said United States. In witness whereof We have hereunto set our hands and affixed our seals this 26th day of September one thousand seven hundred and eighty five.

The condition of the above obligation is such that if Arthur Lee appointed one of the Commissioners of the Board of Treasury[2] of the aforesaid United States of America in pursuance of an Ordinance of Congress passed the twenty eighth day of May one thousand seven hundred and eighty four entitled an Ordinance for putting the Department of Finance into Commission shall well and faithfully execute the duties and trusts reposed in him as one of the said Commissioners con-

formably to the Resolves and Ordinances of Congress, then this obligation is to be void and of no effect, otherwise to remain in full force.

Signed Sealed and delivered in presence of us. James McHenry S Hardy Richard Henry Lee

Wm. Hindman Willm. Grayson

Signed, sealed & delivered by Richard Henry Lee in the presence of us.

Roger Alden

Benjamin Bankson Jur

RC (PCC Miscellaneous Papers, reel 9, fol. 426).

[1] Monroe had recently left New York and did not sign this bond.

[2] For Lee's July 27 appointment, see *JCC*, 29:582. See also James Monroe to James Madison, December 18, 1784, note 5; and Monroe to Thomas Jefferson, April 12, note 12.

James McHenry to John Hall

Dear Sir.[1] [September 27–28? 1785][2]

Congress have at length passed a requisition for the supplies of the present year which I herewith inclose you.[3] I know not whether it will be satisfactory to the State; I only know that it does not please me. Its principles as you will perceive are only calculated for one part of the union; I mean for those States which are in possession of the great bulk of continental securities where they may be purchased at *eight* for *one*. To these States it will prove a blessing, to Maryland it cannot. The States which it favors are Pennsylvania, New Jersey and so on Eastward to New Hampshire inclusive. Considering the depreciation of the certificates these States have it in their power to discharge their *two thirds* of their quotas at a very easy rate, while *one years interest* upon all the loan office and other continental securities belonging to the State of Maryland or its citizens will hardly exceed *one fourth* of our quota. Of course Maryland must pay *three fourths* of her quota i*n specie* or run in debt.

Let us add to this unequal operation of the requisition the real situation of Maryland. Many of our people are of opinion that we are among the foremost in advances, and that when the accounts of the union come to be settled, that the other States will be found in our debt. I am very sorry to tell you that the reverse is the case. Maryland is one of the greatest debtor states in the union. We owe an *immense sum* to the other States as will appear from a statement which I intend to lay before the General Assembly. This debt of course will be greatly augmented by the new system of paying in interest, unless we can con-

trive to keep pace with the payments of the other States. Would it not under this view of things be advisable for the State to purchase a sum in certificates, (now when they can be got cheap) the interest upon which would equal two thirds of our quota.[4] The principal of the certificates would be to our credit on the final settlement of accounts, while the interest, as far as it went, would be an easement to our citizens in the annual requisitions of Congress. If the State should adopt this plan of easing its citizens from taxation, the certificates by proper management may be procured at 8 for 1. To you I need not enlarge upon the expediency of providing while we may for the present and for the future. I would only add that the States to whom we are in debt are numerous enough to compel us to pay them, which I dare say they will attempt as soon as a favorable opportunity offers. If Congress were in possession of a *marine* it is not difficult to divine in what manner it would be directed.

There is one agreeable circumstance however attending this requisition. By the rule which governs the apportionments, and which was obtained after a great deal of squabbling, Maryland is rated at 10 3/4 of the whole estimate.[5] By the rule which governed last year we paid an eighth part of the whole.

Being very much pressed for time, I beg you will make my excuse to Mr Worthington for not writing to him on this occasion and communicate to him the requisition. I am about setting out on a visit to Mrs McHenry for a few days who is in Philadelphia. I find that in case the Assembly should keep me six months longer with Congress which will close my three years that I shall be obliged to bring Mrs. McHenry to New York. In the mean time I am, Very sincerely and respectfully Yours, James McHenry

RC (PHi: Dreer Federal Convention Collection).

[1] Hall has been identified in these *Letters*, 16:394n.1.

[2] McHenry wrote this letter just after Congress adopted the requisition for 1785 on September 27 and just before he set off for Philadelphia to visit his wife, apparently on the 28th. As Charles Thomson's journal also indicates that McHenry voted in Congress on the 27th but was not in attendance when the delegates convened on the next day, it seems clear that he wrote this letter the evening of the former or the morning of the latter before leaving New York. He returned to his seat in Congress on October 19. See *JCC*, 29:775, 836, 838.

[3] For McHenry's enclosure, see *JCC*, 29:765–71.

[4] For the Maryland delegates' effort to purchase Continental money and securities at this time, see Maryland Delegates to Daniel of St. Thomas Jenifer, October 5, 1785.

[5] Maryland actually fared better than McHenry reported as the state's quota under the new requisition was $283,034 of $3 millions, or 9.43%, compared with $933,996 of $8 millions of 11.67% previously required. See *JCC*, 26:309, 29:767.

Massachusetts Delegates to James Bowdoin

Sir, New York 28th September 1785

We have the Honor to inclose to your Excellency, a Requisition which was yesterday passed by Congress.[1] As the Subject is important, & may influence your Excellency's Conduct respecting the convening of the Legislature, We have obtained a Copy of the printed Report, so corrected as to be conformable to the Requisition, rather than delay the Transmission of it for an attested manuscript Copy, which will be duly transmitted by the Board of Treasury.

We have the Honor to remain, Sir, with perfect Respect, Your most obedt. & very humble serts.,

E Gerry

S. Holten

Rufus King[2]

RC (M–Ar: Revolutionary War Letters). Written by Gerry, and signed by Gerry, Holten, and King.

[1] See *JCC*, 29:765–71.

[2] King was also author of a committee report that was read in Congress this day on the subject of a petition from the trustees and fellows of Rhode Island College who sought compensation for damages to and the use of its buildings by the Continental Army during the war. According to Secretary Thomson's endorsement on the report, the committee's recommendations in behalf of the college were rejected by Congress on October 4, but Thomson made no mention of this action in his journal. The memorial and papers concerning this case are no longer in the PCC, having been "del[ivere]d to Dr. Manning," undoubtedly sometime during his term in Congress, May 5 to October 25, 1786. See *JCC*, 28:432n, 29:778–79; and PCC, item 20, 1:247–48, item 191, fol. 77. For information on this case from the correspondence of Dr. James Manning, the president of Rhode Island College, see Reuben A. Guild, *Early History of Brown University, Including the Life, Times, and Correspondence of President Manning, 1756–1791* (1897; reprint ed., New York: Arno Press, 1980), pp. 397–98, 401, 415, 418, 430, 434–35; and James Manning to Hezekiah Smith, May 17, 1786, note.

Massachusetts Delegates to John Lowell, Theophilus Parsons and James Sullivan

Gentlemen New York 29th. Sep. 1785

A letter from Mr. Sitgreaves, yesterday received, gives the first intimation of his having received notice of his appointment to the federal Court, and is an acceptance of the Office.[1] Mr. Johnson having declined,[2] and Mr. Flemming having given no answer, the court stands three Judges of the nomination of Massachusetts, three of the nomination of New-York, and Mr. Johnson of North Carolina[3] mutually chosen as the seventh man. If the Agents of New York do not except against Mr. Sitgreaves,[4] which they may do under the last Agreement,

perhaps we had better proceed to Trial with this court than wait the hazardous event of a full court.

Mr. Duane is absent from the City, and no Gentleman of the New York Agents is here excepting Mr. Jay. What the Opinion of the Agents of New York would be, we are ignorant; but think it not improbable that they would embrace the Idea of deciding the controversy by a court of seven commissioners—an immediate decision upon this point is necessary. If the Cause is to be tried in November the commission should immediately issue; if not, Notice without delay should go to the Judges of the disappointment, least they should incur the trouble and fruitless Expence of meeting at Williamsburgh.

As soon as possible we will obtain the Sentiments of the Agents of N.Y. and transmit them to you; we intreat that you would not delay communicating your determination upon this Subject.

With great esteem and Respect your obt. servants,

E Gerry

Rufus King

RC (MH–H: bMS Am 1582). Written by King and signed by King and Gerry.

[1] See *JCC*, 29:776–77.

[2] That is, Thomas Johnson of Maryland.

[3] That is, Samuel Johnston.

[4] See Massachusetts' Agents' draft letter to Congress, October 20.

Elbridge Gerry to Samuel Adams

My dear Sir, New York 30th Sepr 1785

I am much obliged to you for your Hint relative to what may take place with Respect to the Cincinnati, in our Delegation of the next Year.[1] We shall before the adjournment endeavour to fix on the Journals something that may operate to cripple, if not mortally to wound that unconstitutional Monster.

I am happy to find that We unite in Sentiment in the Necessity of vesting Congress with more commercial powers: & flatter myself We shall not differ in making them in the first Instance temporary, & in opposing a general Revision of the Confederation.[2] It is difficult to determine on a good Expedient, to remedy our present Evils, but We shall attempt it, if Time will permit.

Doctor Franklin has, as You will perceive by the Pennsylvania papers, been puffed at a great Rate, & will probably be in the Chair of that State. His Grandson came to this City last Evening, but his object I cannot yet ascertain. I confess to You, I have a jealous Eye on the Doctor: he is devoted to the Court of Versailles, & should he come to Congress as a Delegate & obtain the Chair, he may do more Mischief

than We are apt to imagine. But his great Age seems almost an insupperable Bar to the Execution of an extensive plan.

Mr Simkins I have not seen, he called on me so early that he found me in Bed & has not renewed his Visit when I was at Home.

I have the pleasure of inclosing a Copy of the Requisition, which is not so good as may be wished, but the best that could be obtained.

Adieu my dear Sir & be assured I am yours sincerely,

E Gerry

RC (NN: Adams Papers).

[1] In his September 19 letter to Gerry, Adams had warned: "Those who may take your places may not happen to be of your sentiments respecting the Cincinnati, and in that case they will overrule Mr. King and prevent your good intentions." George Bancroft, *History of the Formation of the Constitution of the United States of America,* 2 vols. (New York: D. Appleton & Co., 1882), appendix, 1:457–58.

[2] "A general revision of the confederation appears to me to be a dangerous measure to be adopted at this time," Adams had written, "nor do I think it necessary." But, he continued, "It is much to be wished that congress may be vested with sufficient power to regulate the trade of the states with foreigners. This commonwealth suffers for want of it. Cannot this power, properly guarded, be given to congress without endangering the principles of the confederation by a general revision?" Ibid., p. 457.

Joseph Gardner to John Dickinson

Sir, New York October 1st, 1785.

I do myself the honor to inform Your Excellency that Congress have appointed a Grand Committee to report the form of an Ordinance to expedite the Settlement of the public Accounts, and have referred to this Committee a report of the Board of Treasury upon a Motion of Mr Howell, which I herewith inclose.[1]

This report will in some degree explain to your honorable Board the Views of Congress by the Appointment of this Committee: The Commissioners of the public Accounts in each State are already impowered to liquidate and settle both demands of individuals and States, against the United States, as far as the said demands are authorised by subsisting Resolutions of Congress, and if any difficulties arise, they must originate either from the Nature of the Claim or for Want of proper Vouchers.

The latter part of the Report (and principal Object with the Committee) refers to Claims of individual States against the Union, for Money advanced and Services performed for the Common benefit of the States, but not covered by any subsisting resolutions.[2] A Question naturally arises, which of these or whether any ought to be admitted, and it is of the utmost Consequence to the harmony of the States, that this Question be speedily and prudently determined.

The Committee met yesterday the first time, and have Ordered, that each Member in behalf of his State, exhibit in Writing the general heads of the Claims of that State against the Union. I am unprepared to make this Statement barely upon my recollection, therefore I take the earliest Opportunity to ask your Advice and Assistance as soon as convenient.

I do suppose that Pennsylvania was very careful to have a large proportion of her expenditures for the Common defence covered by resolutions for the express purpose to guard against disputes upon a final Adjustment, her proximity to the Seat of Congress enabled her to have this done. Nevertheless, there are within my own knowledge many very considerable Charges for which I think she has an undoubted right to obtain a Credit upon the Books of the Treasury.

I will just take the Liberty to subjoin such claims as occur to me at present, which if they meet the Approbation of your honorable Board, will compose part of the Claims stated upon the part of Pennsylvania, vizt.

Building and sinking Chevaux de Frize.

Building Gallies, floating Batteries, fire rafts &c for defending the passage of Delaware.

Arming, manning, feeding, paying &c the Officers and Seamen belonging to the aforesaid fleet.

Fortifying Mud Island—red bank and Billingsport.

Recruiting, paying, Cloathing &c the three State regiments commanded by Messrs Miles, Broadhead and Atlee.

Militia Service for the defence of the State, particularly the frontiers. Ranging Companies upon the frontiers.

I would only beg leave to add, that it is only necessary at present to mention the heads and not the Amounts of the Claims.[3] I refer you for further information to the Honorable Charles Pettit, who will be in Philadelphia before this is handed to You.

I am Sir, with due Respect, Your Excellency's very humble Servant,

Jos. Gardner

NB. I find I have left the Report alluded to this Letter at my lodging, therefore defer sending until next post.

Tr (PHarH: RG 27).

[1] For the appointment of this grand committee September 28, see *JCC*, 29:779; and PCC, item 190, fol. 69. For the board of treasury report on "measures for expediting the settlement of the accounts, subsisting betwixt the several States and the United States," called for by a David Howell motion of July 7, submitted July 12, and read in Congress July 14, see *JCC*, 29:516, 536–39; and PCC, item 139, fols. 37–40, item 140, 2:31.

[2] See *JCC*, 29:538.

[3] Little progress was made on this subject for nearly a year. The board of treasury responded October 19 to a query from the grand committee to which Gardner had been appointed for the dates of congressional resolves "that have relation to the Allowances to be made to the States in Settling their Accounts" (PCC, item 140, 1:59), but not until Oc-

tober 13, 1786, did Congress finally adopt "An Ordinance for establishing a Board to liquidate and settle all Accounts between the United States and individual States," which Rufus King had proposed on August 9. See *JCC*, 31:508n, 636, 666–67, 741–47, 771–81.

Charles Stewart to William Livingston

Sir New York 1st October 1785

The Act of Congress of the 27th Sept. being printed,[1] I deem it my duty to forward it to your Excellency, and hope it will meet the approbation of the Legislature of New Jersey, indeed there are so many public Creditors in that State, whose distresses are great that One would be inclined to believe this Act will be approved of. Virginia was the only dissenting State, they held out expecting to Obtain a Resolve, to Sanction their demands for all the expences in their State, the amount of which by their Accounts exceed any thing I ever saw, read or even heard of.

The Report of the Board of Treasury on the subject of the Loan Office passed yesterday after some Amendments and fixing the Sallary at fifteen hundred Dollars for the highest sum & Six hundred for the lowest.[2] I enclose the Report of the Commissioners on that head & Am Your Excellencys most Obed st. Chas Stewart

RC (MHi: Livingston Papers).

[1] A reference to the Continental requisition for 1785, for which see *JCC*, 29:765–71, 928; and Charles Thomson to Certain States, October 7.

[2] See *JCC*, 29:792–94.

William Grayson to George Washington

Dear Sir, New York Octob. 3rd. 1785.

The requisition is at length finished; & which I have now the honor of inclosing; the Article of 30,000 dollars for fœderal buildings at Trenton is expunged; & I think the opposition to that measure is gaining strength. Some of the Southern States begin to view it in a different light.[1]

Congress have passed a resolution authorizing the Post Master general under the direction of the Board of Treasury to contract with the Owners of the Stage coaches for the transportation of the Mail; it is expected the contracts will be formed in the course of the next month: after which there will be three mails a week through the

Southern States. A new Ordinance for the Post Office is ready to be reported in which there are clauses for cross posts from Alexandria to Fort Pitt, & from Albany to the limits of Canada, but it is doubtful whether in this present Congress either will take effect.[2]

Mr. Payne has a memorial before Congress, to be allowed a sum of money for his services, to which there is a favorable report from a Commee. but I am fearful that nothing of consequence will take effect.[3]

I have the honor to be, With the highest respect, Yr Affect. frd. & Most Obed Serv. Wilm. Grayson

RC (DLC: Washington Papers).

[1] For the broadside of the requisition that Grayson enclosed, see *JCC*, 29:765–71, 928. On September 22 Elbridge Gerry had moved to increase the sum appropriated for federal buildings to $100,000, the amount originally alloted, for which see Grayson to James Madison, May 1, note 10. The motion was defeated with only Massachusetts and New Jersey in favor. Thereupon Samuel Hardy moved to strike the paragraph, which was not allowed to stand. Maryland, Virginia, and South Carolina were all opposed. See *JCC*, 29:734–35.

[2] See Grayson to James Madison, August 21, note 4.

[3] In fact, Thomas Paine had submitted a series of appeals to Congress beginning in August when he asked to meet with Congress or a committee thereof to discuss compensation for his nearly eleven years of service to the United States. His letter of August 13 was referred on the 15th to a committee chaired by Elbridge Gerry whose August 22 report was adopted on the 26th. Congress agreed that Paine was due "liberal Gratification" for his labor "in explaining & informing the principles of the late revolution, by ingenious, & timely publications, upon the nature of Liberty & civic Government," which were well received by the American public, but it ordered no specific compensation. On September 13 Congress received a second letter from Paine asking, according to Charles Thomson's despatch book, "what Congress mean to do for him." This undated letter, which was later misidentified as one of the 14th, was referred to a committee chaired by Grayson that recommended on September 26 that Paine receive $4,000, but that sum was struck out. Paine wrote to Congress on the 27th asking only for his expenses for the past eleven years which "cannot possibly have been less than six thousand dollars." When Congress took up his letter and Grayson's committee report that day Elbridge Gerry moved to compensate Paine for his full expenses, but that too was defeated. On September 28 Paine wrote again, this time requesting settlement of his account for $948 that he claimed was due on the depreciation of his salary as secretary to the committee for foreign affairs through January 1779. This letter, the Grayson committee report, and Paine's two previous letters were referred on the 28th to Elbridge Gerry, David Howell, and Pierse Long. In their October 3 report the committee chose to address the resolution of August 26, recommending a $3,000 award which Congress promptly ordered the board of treasury to pay. Obviously, Grayson wrote this letter to Washington before Congress had taken this action. The committee referred Paine's letter on salary depreciation to Comptroller James Milligan who wrote to Gerry on October 4 that Paine's request was inappropriate because Congress had already extended to the civil list its resolve of April 10, 1780, limiting depreciation to those who were in service on that date and Paine had resigned fifteen months before. Congress took no further action on Paine's second request. See *JCC*, 16:344–45, 29:625n, 650, 662–63, 704n, 774–75, 779n, 796; and PCC, item 19, 5:3–5, item 35, fols. 1–3, item 55, fols. 85–102, item 185, 3:135, 138, 140, item 190, fols. 58, 65, 69.

William Hindman to William Paca

My dear Sir New-York Octr. 3d. 1785

I herewith send You the Requisition for Supplies, which has at Length obtained a Passage thro' Congress.

Mr. Harrison says You have not fullfilled your Promise in Writing to him. He is well & desires his best Respects. Mr. McHenry is lately gone to Philadelphia on a Visit to his Lady, so that Maryland is at present unrepresented.[1] There are at this Time ten States in Congress. The president is lately returned from Philadelphia whither He went for his Health & is much mended.

Who will be your Successor?

There is no News here.

I am, most affectionately, Yrs. &c., Wm. Hindman

RC (MdAA: Red Books).

[1] See James McHenry to John Hall, September 27–28, note 1.

Samuel Holten to William Gordon

My dear Sir, New York 3d. Oct. 1785

I have been favor'd with your kind address of the 21st ulti. The requisitions are at length passed, & I will enclose a copy.[1] You are pleased to mention your intention of promoting a particular sentiment, "among the trusty"; I am sure your conduct & sentiments will be founded in the greatest propriety; Mr. Gerry goes out constitutionally, Mr. King, I conclude attends the federal court, to be holden at Williamsburgh, about the middle of November, and as to myself you know I am out of the question, & therefore, it will be necessary for two gentlemen (at least) to be here by the first Monday in Novr.

You have been pleased to honor me with your "proposals for printing by subscription,"[2] & requested my "free honest thoughts upon them." Therefore, I shall give them with pleasure, the sd. proposals are like your performances, very well done, but I will submit to your consideration my thoughts upon two parts, 1st whether after the words "the late Commander in chief"; the following words might not be added with propriety, *of the American army;* my reasons for it, I consider unnecessary to be mentiond. to a mind like yours. 2nd; the paragraph respecting the works, being done in Europe, will, in my opinion, prevent many subscribers in America, how far that can be dispensed with is for you to judge.

My health is really better, & your friends are again made happy by hearing from you.

I remain your sincere friend & humble servant

P.S. Since writing the foregoing a correspondent informs me, that particular inquiry is making for accommodations, for a gentleman & his family who thinks to be here in Novr.; and adds further, "but you will not be *very much* disappointed if he should fail of going."[3]

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] See *JCC*, 29:765–71.

[2] That is, Gordon's *The History of the Rise, Progress, and Establishment, of the Independence of the United States*, 4 vols. (London: Printed for the author, 1788).

[3] Undoubtedly a reference to John Hancock, who in fact did not attend Congress during the 1785–86 term for which he was elected.

Samuel Holten to Enoch Putnam

Dear Sir, New York, 3d Oct. 1785.

A few days since, I recd. the enclosed, the first part, I perceive is a duplicate of the last letter I forwarded to you;[2] I conclude you may have better intelligence than I can communicate, respecting the affairs of Mr. Hartwell,[3] deceas'd, however, you will percieve I endeavor to render you services.

Please to make my respects to Mrs. Putnam & your family, & kind love to Polly. I remain, with particular consideration & respect, your most obedient.

FC (MNS: Hiram Putnam Papers). In the hand of Samuel Holten. Addressed: "Colo. Enoch Putnam."

[1] Enoch Putnam (1732–96), an Essex County, Mass., farmer and selectman of Danvers (1779), Holten's hometown, had been active in the militia from the outbreak of the war at Lexington in 1775 and rose to the rank of colonel in command of the Eighth Essex Regiment in 1782. Harriet S. Tapley, *Chronicles of Danvers (Old Salem Village), Massachusetts, 1632–1923* (Danvers: Danvers Historical Society, 1923), pp. 84–85, 252.

[2] No earlier letter from Holten to Putnam has been found, but information on his enclosure is contained in the following "Memorandum" located in the Holten Papers, DLC. "1785. Sepr. 4th. I recd. a duplicate of a letter from the honorable Wm. Carmichael, dated, 15th May, which I forwarded to Colo. Putnam.

"N.B. Particulars which I intend to answer: The polite acknowledgement of my letter: The circumstancial Acct. of Mr. Hartwell came to Congress about a month since: To notice the early attention of the Ct. De Florida Blanca to Mr. Hartwells case, as well as Mr. Carmichaels early & great attention to the same. If Mr. Burke his executor should not render an acct. the Minisr. upon proper application will cause justice to be done: I have not recd. the prints he mentions: *he wishes to know whither the 'Elegant Edition of Dn. Quixote' with an offer of his services while abroad, sent to our College, that is Harvard College at Cambridge, came to hand.*

"Recd. a letter from Mr. Joseph Gardoqui & sons, dated 23d June, 1785 respectg Mr Hartwells pecuniary affairs, which I have also inclosed to Colo. Putnam. N.B. I have recd. another letter from Mr. Gardoqui & sons, with a duplicate of the above, dated 20th July 1785, and have enclosed it to Colo. Enoch Putnam."

[3] For "the affairs of Mr. [Jonas] Hartwell" see Holten to John Hartwell, July 19, and to William Carmichael, October 6.

Samuel Holten to Thomas Wallcut

Sir, New York. 3d. Oct. 1785.

Your obliging address of the 27th of June, would not have remained so long unanswered, if I had not expected, that Congress would have decided upon your petition much earlier, & that I should have had the pleasure of forwarding their resolution, but you will perceive by the date thereof, that I have lost no time, in making you acquainted with their proceedings.[1]

Your polite attention by Mr. Simpkins, was handed to me while in the chair of Congress, & I have not yet been favored with a visit from him.

Your congratulations are expressive of your kind & friendly disposition, & I feel myself obliged thereby.

I remain, with great respect, your most obedient; S. Holten

RC (MWA: Wallcut Papers).

[1] Thomas Wallcut, steward of the Continental hospital at Boston from March 1778 to August 1782, was seeking extra compensation for the performance of his additional duties as wardmaster of the hospital for much of the same period, having learned that officials were eligible for such double compensation in some special cases. His undated petition had been referred on May 17 to a committee consisting of William Ellery, Abiel Foster, and John Laurance, which submitted a report on June 1 that was recommitted on June 3 and resubmitted on July 8. Its recommendation that Wallcut be allowed an additional "ten dollars per month . . . for the time he served as ward master in the hospital at Boston," was adopted by Congress on September 28. See *JCC*, 28:372n, 386n, 391n, 412–13, 427n, 29:518, 776; and PCC, item 42, 8:316–18.

David Jackson to John Dickinson

Sir New York Octr 3d 1785

I do my self the honor to enclose to your Excellency & the Honble Council three copies of the requisition for the present year, which passed in Congress a few days ago.[1] I dare say it will soon come officially thro the Board of Treasury, but as it contains matters of much importance, I thought you would wish as early an inspection as possible.

I have the honor to be, Your Excellencys Obdt Servt,

David Jackson

RC (PPC: Gilbert Collection). Endorsed: "5th October 1785. From the Hon. D. Jackson, enclosing copies of the Requisition Ordinance of Congress. (For the Assembly.) Note.

Dr. Gardner's letter [Joseph Gardner to Dickinson, October 1], read this day with its enclosures, was referred to the Comptroller Gen. J[ohn] A[rmstrong, Jr.]."

[1] See *JCC*, 29:765–71; and *Pa. Archives*, 1st ser. 10:514–20.

Massachusetts Delegates to John Lowell, Theophilus Parsons, and James Sullivan

Gentlemen New York 3d Octr 1785

We informed You by the last post,[1] that Mr Sitgreaves had accepted the office of a Judge for our fœderal Court; & being of Opinion that it would be best, in Case of your approbation, to enter into a new agreement with the Agents of N York, that the seven Judges who have accepted, (three of which are the Choice of Massa., three of N York & one, of the Agents of both States,) should constitute the fœderal Court, We proposed the Matter to Mr Jay, the only N York Agent in this City, who not only declined the proposition & signifyed his Desire that the two Vacancies might be filled, but likewise intimated his Intentions to object to Mr Sitgreaves, or at least, that the N York Agents would be justifyed in the Measure, inasmuch as the Massa Agents would have done the same, had they not been indulged in appointing a Judge from Virginia. We therefore see no prospect of a Court's being held in November, but think it must be postponed to a future Day, in Order to make the Appointments. We wish to hear from You soon & remain with the highest Esteem Your Friends & humble serts,

E Gerry

R King

RC (MH–H: bMS Am 1582). Written by Gerry and signed by Gerry and King.

[1] See Massachusetts Delegates to same, September 29.

Charles Thomson to the Indian Affairs Commissioners, Southern Department

Gentlemen, Office of Secretary of Congress, Octr. 3. 1785

It having been represented to Congress that since the peace with Great Britain a general Confederacy had been formed between the Northern, Western and southern Indians for their Mutual defence and it being suggested that it was probable this was done under the Auspices of the British, because the Indians particularly attached to their interest were the principal actors in that business, it is therefore judged necessary and I have it in charge to transmit to you the en-

closed exemplifications of the treaties concluded at fort Stanwix and fort McIntosh,[1] the showing of which to the southern Indians may have a tendency to break that Confederation or at least convince them they have nothing to hope from it.

With great Respect, I am, Gentlemen, Your Most Obedt & Most humble Servt, CT

LB (DNA: PCC, item 18A). Addressed: "Benj Hawkins &c, Comrs. for treating with the Southern Indians."

[1] For these treaties, see *JCC*, 28:423–26. Thomson wrote this letter pursuant to a congressional order adopted at the suggestion of Arthur Lee, former commissioner of Indian affairs for the middle department. Lee's September 24 letter to the president of Congress, from which Thomson's letter is taken almost verbatim, is in PCC, item 78, 14:669–72. It is endorsed: "Read 26. Referred to the Secy of Congress to take Order." For the progress that was being made at this time by the Indians to form "a general Confederacy," see Richard White, *The Middle Ground: Indians, Empires and Republics in the Great Lakes Region, 1650–1815* (Cambridge: Cambridge University Press, 1991), chapter 10.

Elbridge Gerry to Timothy Pickering

Dear sir, New York 5th Octr 1785

I am favoured with yours of the 29th of Sepr, & am obliged to you for the Attention paid to the purchase of the Books. Capt Summer is not arrived, & as I wanted Sir James Stewards political Œconomy in octavo,[1] if Messrs Jackson & Dunn will take them back, I will take the Amount, or more in some other Books out of their Store, a Catalogue of which I wish to receive.

My Compliments to Mrs Pickering & be assured, I am yours sincerely,

E Gerry

RG (DNA: RG 93, no. 30067).

[1] That is, James Steuart, *An Inquiry into the Principles of Political Oeconomy*, 2 vols. (London, 1767).

Maryland Delegates to Daniel of St. Thomas Jenifer

Dear Sir New-York Octr. 5th. 1785

We are very sorry to inform You of our Disappointment in procuring Continental Money.[1] We had built on getting 1,500,000 Dolrs. from Mr Marbois, who had that Sum in his Custody belonging to the King of France, but could not be prevailed upon to take less than one Spanish Dollar for 125 paper. We at first offered 250 hoping thereby

to bring him to the Price limitted by You, but ineffectual. He has lately been appointed Intendant of St. Domingo, to which Place He sailed a few Days ago. Mr. Otto has succeeded him as "Chargè des Affaires." A Merchant of this City, who thought He should be able to furnish Us with 500,000 Dollrs. will He fears fall very short; if there is not a total Failure on his Part. He had flattered himself that his Debtors in the Country, whom He had Reason to believe were possessed of considerable Quantities, would have rejoiced in an Opportunity of paying it in Discharge of their Debts, but on knowing it would be received, immediately concluded that Congress mean to do something for the Redemption & therefore part with it reluctantly. We shall continue our Endeavors in procuring all We can.

You will herewith receive the Requisition for Supplies, by which You will perceive that two Thirds of the Sum is payable in the Interest due on Continental Securities. Now sir, if You thought it warrantable, would it not be laying out Money greatly to the Advantage of the state of Maryland, to invest immediately what could be spared from the Purchase of Contl. Money in final Settlement Certificates, which are in a very depreciated State, they may at this Time be bought here at eight for one—if We retain our present Sentiments, We shall deem it incumbent on Us to submit to the Consideration of the Legislature at their next Session, the Purchasing so large a Quantity of them as the Circumstances & Finances of the State will by any Means admit.

We are, most respectfully, Yr. very humble servts.,

James McHenry

Wm. Hindman

8th Octbr. Since writing the above Mr. McHenry has entered into stipulations for between two and one millions of the Continental money. This is a very fortunate circumstance as we understand some other States are in the same speculation which will of course raise the price. It will therefore be necessary to have remitted immediately about £3,000 as the payment is to be prompt. You may send it in bank notes. Yours &c, James McHenry[2]

RC (MdAA: Executive Papers). Written by Hindman and signed by Hindman and McHenry. The "8th Octbr." postscript was written by McHenry. Addressed: "The Honorable Daniel of St. Thomas Jenifer Esqr., Intendant of the Revenue, Annapolis."

[1] See Maryland Delegates to Jenifer, July 20, 1785.

[2] Since McHenry had left New York for Philadelphia at the end of September, Hindman undoubtedly sent this letter to him there, where he signed it, added the postscript, and sent it on to Jenifer.

McHenry also wrote the following brief note to Jenifer from Philadelphia on October 11: "I am got at length to this place on a visit of a few days. This is only to request that you will lose no time in making the remittance for the old money as we are pressed on all sides to make payment and threatened with a loss if we do not. I shall return to New York Monday next altho' I do not expect that Congress will do any very important business during the present session. [*P.S.*] We have drained ourselves of all the money we had to pay for some of the paper we have bought." Burnett, *Letters*, 8:234.

Charles Thomson to Samuel Elbert

Sir, Office of Secy of Congress, Octr. 5th, 1785.

Not having received an answer to my letters of 28th & 31st May, 2d & 9th June, 28th July, 9th, 24th & 29th of August, I take the liberty of referring to them, not doubting but the resolutions of Congress therewith transmitted will in due time be attended to.

I have now the honor to send You herewith enclosed two acts lately passed by the United States in Congress assembled—one being a requisition for 1785—and the other regulating the duties of the Loan Officers.[1] The former You will likewise receive from the board of Treasury, who are directed to forward it, and to write on the subject to the several States.[2]

With great respect, I have the honor to be, Your Excellency's Most obedient and Most humble Servt.

LB (DNA: PCC, item 18A). Addressed: "His Excellency The Governor of Georgia."

[1] See *JCC*, 29:765–71, 792–95.

[2] *JCC*, 29:776.

Charles Thomson to William Moultrie

Sir, Office of Secy. of Congress, 5 Oct 1785

I have recd. the letter you did me the honor to write on the 9 of Sept and that of the 14th from Mr. S. Drayton with the copies of the laws therein mentioned, which I have distributed agreeably to the orders of Congress.[1] I have delivered to the delegates of your state a set of the laws of Massachusetts which are in the same situation as yours, incompleat. None of the other States have yet sent forward their laws.

I have the honor to send you herewith enclosed two Acts lately passed one containing a requisition for 1785 & the other regulating the duties of the loan Officers.[2] The former you will likewise receive from the board of treasury Who are directed to forward it & to write on the subject to the several States.[3]

As I am not certain but the Comrs. for negotiating with the southern Indians may have left Charleston before this arrives, I take the liberty of enclosing in your packet a letter for them and requesting the favour of your Exy to forward it as soon as possible.[4]

With the greatest respect, I have the honor to be Your Excellency's Most Obed & Most h serv, CT

LB (DNA: PCC, item 18A). Addressed: "His Excellency The Governor of South Carolina."

[1] These letters from Governor Moultrie and Secretary Stephen Drayton are in PCC, item 72, fols. 579–90.

[2] See *JCC*, 29:765–71, 792–95.
[3] *JCC*, 29:776.
[4] See Thomson to the Indian Affairs Commissioners, October 3.

Samuel Holten to William Carmichael

Dear Sir New York 6th. Oct. 1785.

I have been honored with a duplicate of your attention of the 15th of May last (the original has not come to hand).[1] Your polite acknowledgment of mine,[2] and your early notice of the late Mr. Hartwell,[3] lay me under renewed of obligations.

Your account of Mr. Hartwells unhappy affair came to Congress, about a month before I recd. your letter. I submit it to you, the propriety of your mentioning to the Ct. De Florida Blanca,[4] how sensibly I feel myself under obligations to him for his early attention to the unfortunate Mr. Hartwell.

I have received two letters of advise from Mr. Gardoqui & Sons[5] respecting the pecuniary affairs of the deceased, wrote in consequence of your attention; Mr. Gardoqui was named as one of the executors, but declined accepting, however upon the app[l]ication of Mr. Hartwells friends to Mr. Gardoqui here he gives me the fullest assurance that he thinks his brother will accept.[6]

I signified to the President of Harvard College your wish to know whether the edition of Don Quixote &c, came to hand; and I have the pleasure of enclosing his answer, together with a copy of the proceedings of the Corporation.[7]

Congress have great embarrassments, respecting their finances, Commerce, settlement of the accounts of each state with the U.S. &c, however, those dificulties are small, compared with what you & I have seen, and the union is greatly strengthened by being so unanimous in their important acts.

The post yesterday, from the eastward, brought an account of a Ship being arrived at Glocester (Cape Ann) which has on board a large Jack Ass, said to be a present from his Catholic Majesty, to Genl Washington.[8]

With the most perfect respect, I have the Honor to be, Sir, your most obedt servant

RC (MHi: Holten Papers).

[1] For evidence on the subject of Carmichael's letter, see Holten to Enoch Putnam, October 3, note 2.

[2] No previous letter from Holten to Carmichael has been found.

[3] That is, Jonas Hartwell, a merchant from Lincoln, Mass., who while marketing a cargo of tobacco in Spain had been imprisoned by the Spanish Inquisition—because he had been "so imprudent & unguarded as to express himself with some contempt rela-

tive to their Religion." Hartwell's plight had been the subject of an appeal of February 24, 1785, from the governor and council of Massachusetts, which had been referred to the secretary for foreign affairs, John Jay, on March 7. Jay had recommended that the matter be referred to William Carmichael, the American chargé d'affaires at the court of Madrid, "to enquire diligently into the truth of the facts" and to "make such representations" to the Spanish court "as the nature of the case . . . may render adviseable." And upon Congress' adoption of the recommendation, Jay had so instructed Carmichael March 19, enclosing the letter from the governor and council of Massachusetts and three related affidavits. See *JCC*, 28:125n, 181–82; PCC, item 65, 2:265–77, item 121, fols. 31–39; and *Diplomatic Correspondence, 1783–89*, 3:293–97.

Carmichael's representation to the Spanish foreign minister, the conde de Floridablanca, was apparently received sympathetically, as the minister himself was interested in curbing the power of the Inquisitor General, but the case became moot when Hartwell died in prison before official action was taken. Somewhat embarrassed by the episode, Floridablanca expressed his regrets to Carmichael, and Don Diego de Gardoqui, the Spanish minister to the United States, went to considerable lengths to mollify the Massachusetts delegates and to assist Hartwell's family in obtaining a settlement of his accounts and assets in Spain. For additional evidence related to the case, see Carmichael's February 27, 1785, report to Benjamin Franklin, in PCC, item 116, fols. 261–66; and Holten's letters to John Hartwell, July 19, and to Enoch Putnam, October 3, note 2.

[4] Floridablanca is also the subject of the following undated Holten note, filed [August 1785], in the Holten Papers, MHi.

"Altercation between the Count de F.B., the Confessor & Inquisitor Genl. will give a great shock to the power of the Inquisition & that the Tribunal will be restrained in future from passing sentence on any Grande of Spain & all persons employed in the Council, in the army, Navy &c, or on any foreigner untill the process has been submitted to the minister."

[5] See Holten to Enoch Putnam, October 3, note 2.

[6] Holten's draft of the following "Billet" to Gardoqui, dated "6th Oct. 1785," located in the Holten Papers, DLC, also illustrates Gardoqui's attentions to Holten at this time. "Doctor Holten presents his respectful compliments to his Excellency Mr. Gardoqui, & requests his attention to the letter addressed to Mr. Carmichael." And a similar note of October 10th, asking Gardoqui to forward another, unidentified enclosure to Bilbao, is in the Holten Papers at MHi.

[7] See Holten to Enoch Putnam, October 3, note 2.

[8] For Washington's interest in obtaining a jackass for breeding in the United States, and the arrival of Royal Gift, a present of the King of Spain, see Washington, *Papers* (Abbot), Confederation Series, 2:163–64.

Richard Henry Lee to the Conde de Floridablanca

Sir, New York October the 6. 1785

The letter that your Excellency did me the honor to write to me on the 8th of October last, was delivered to me by Sr. Dn. Diego de Gardoque immediately on his arrival.[1] Being soon after much indisposed,

it became necessary for me to retire from Congress for the recovery of my health, and that circumstance deprived me of the pleasure of writing to your Excellency by a more early conveyance. The appointment of Mr. Gardoque gave great satisfaction to the United States, and I flatter myself that the manner in which he was received, and will continue to be treated, will be perfectly agreeable to his Catholic Majesty. Be assured Sir that it is the sincere wish of this Country, not only to be on good terms with, but to cultivate the friendship of the Spanish Monarchy; and I am warranted to add, that the United States will chearfully join in concerting and concluding such friendly and commercial connections with his Majesty, as by properly settling territorial questions, and regulating the intercourse of the two nations on principles of reciprocity, may produce and perpetuate mutual harmony and good will between them. I pray God to bless your Excellency with long life, health, and happiness. With every consideration of high esteem and respect I have the honor to be Sir your Excellencies most obedient & most humble servant, Richard Henry Lee. P.

FC (PPAmP: Lee Papers). In the hand of Richard Henry Lee.

[1] For Lee's receipt of this letter and referral of it to Congress and to the secretary for foreign affairs, John Jay, see Lee to Jay, September 11. Upon receiving Floridablanca's letter from Congress, Jay drafted a response which he submitted to Congress October 6. The present text, which is the one copied into the presidential letterbook (PCC, item 16, fols. 322–23), varies only slightly from Jay's draft. Cf. *JCC*, 29:809.

Charles Thomson to Ebenezer Hazard

Sir Office of Secretary of Congress. October 6th. 1785

In answer to your letter of the 9th of Sepr. I have it in Command to inform you that the words "accustomed route" mentioned in the resolution of the 7th day of Sepr., last relate to the *Stage carriages*, and that you are to establish Cross posts where the same shall thereby be rendered necessary.[1]

I am, Sir, your obdt. huml. Servt., CT

LB (DNA: PCC, item 18A). Addressed: "E. Hazard Esqr. Postmaster general."

[1] Upon receiving Congress' September 7 resolution "respecting the Conveyance of the Mails by the Stage Carriages," Hazard had inquired of Thomson whether the words of the resolution "according to the *accustomed* Route" were meant to refer "to the Route by which the Mails are now statedly carried, or to that of the Stages." See *JCC*, 29:684–85; and PCC, item 61, fols. 235–38. His letter was referred on September 12 to a committee whose October 3 report, adopted the 5th, contained the clarification conveyed here by Thomson. *JCC*, 29:694n, 807–8.

Charles Thomson to John Jay

Sir, Office of Secretary of Congress, Octr. 6. 1785

I have it in charge to inform you that your attendance is required in Congress to Morrow at 12 o'Clock, to which time Congress have postponed the Consideration of your report "respecting the number of Consuls necessary to be appointed and for what foreign posts."[1]

I have the honor to be, Sir, Your Most obedt humble Servt,

Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] Congress was in the midst of a protracted, inconclusive debate on its consular service, occasioned by a September 19 report by Jay on "the number of Consuls necessary" ordered by Congress August 9. See *JCC*, 29:621, 722–24, 810n. The debate was complicated by the fact that Jay was opposed to the Franco-American consular convention signed by the comte de Vergennes and Benjamin Franklin in July 1784, and had submitted a lengthy critique of the document to Congress July 4, 1785, for which see *JCC*, 29:500–515; Richard Henry Lee to Benjamin Franklin, December 14, 1784, note 1; and James Monroe to Thomas Jefferson, August 15, 1785, note 4.

Charles Thomson to John Jay

Sir, (Private) New York 6 Octr. 1785

Herewith you will receive your Letter of 2 Sept and sundry papers from Mr Barrè, with my report thereon, which is referred to you to take Order.[1]

For your particular information I beg leave to mention that the reasons, on which the report is grounded, are these. 1t. that the cross demanded is not in the grant of Congress. 2d. That Mr Barrè never held a commission from Congress; that he was captured in a private armed vessel, and that from his own account it appears that his sufferings during his captivity were owing to a suspicion of his being concerned in a mutiny and of having fired an 18 pounder which endangered the ship in which he was a prisoner. But had his claim to rank been well grounded such is the present state of the American Navy that it does not appear proper to grant. For your further information I enclose you a letter I recd. from Mr Hardy relative to the vessel in which Mr Barrè was captured.[2]

With great respect I am, Dear Sir, Yours, Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] For the background of this case, Jay's September 2 letter to Congress, and Thomson's "report thereon," see Thomson to the Board of Treasury, September 9, note; and *JCC*, 29:700–701.

[2] For the enclosed letter from Joseph Hardy on Le Sieur Barré's naval service, see PCC, item 55, fols. 389–92; and *Diplomatic Correspondence, 1783–89*, 1:309–10.

Samuel Holten to James Bowdoin

Sir, New York, 7th Oct. 1785.

In a few weeks, by the leave of providence, I shall have compleated the time for which I was elected to a seat in Congress, & two years since the confederation took place.

When I arrived at Congress on the first Monday in November last (or the place where it was expected Congress would be assembled) I found only four states represented, & that I was the only person attending from the eastward of New Jersey; the next day I informed the then Governor of Masstts., & the honorable court by letter, the situation we were in, and signified my fears that the public business would be delayed, unless we had a full representation: I conclude your Excellency & the honorable court will be convinced, that my fears were well grounded, as Congress have been together more than ten months, and a very considerable part of the public business, yet, remains unfinished principally owing, as I conceive, to the states not keeping up a full representation; but Congress having so fully expressed their sentiments, to the several states, upon the subject, it is unnecessary for me to add further.

I am fully sensible, that there is several instructions from the honorable court to the delegates of Masstts., upon important subjects, which they have not been able to get a determination of Congress; but, surely, this is not for want of attention & exertions of the honorable gentlemen, that I have been joined with in the delegation, & in justice to myself, I may be permitted to say, that I have given my constant attendance: My particular situation, at this time, I hope will apologize for this address, when it is considered, that it is unknown to me in what light my conduct may have been considered by the honorable court.

I shall sit out on my return, as soon as I can with convenience after the first Monday in November, & hope to have the honor of making your Excellency and the honorable court my personal respects & shall (if required) be ready to give a further account of the state of our national affairs, & of my particular conduct.

With the most perfect consideration & respect, I have the honor to be, your Excellency's most obedient & very huml. servant

FC (DLC: Holten Papers). In the hand of Samuel Holten. Addressed: "His Excellency Governor Bowdoin to be communicated to the honorable court."

Samuel Holten to Joseph Willard

Revd & dear Sir, New York 7th. Oct. 1785.

I have receiv'd the letter you did me the honor to write me the 12th ultimo, with the enclosures, & agreeably to your request I have forwarded the copy of the procedings of the corporation to Mr. Carmichael,[1] together with your letter addressed to me. His Excellency M. Gardoqui, the Spanish Minister here has been so obliging as to take charge of my letter, in order that it might be conveyed in the safest & best manner; and please to be assured, that if I have rendered any service, in this affair, to you, or the Reverend corporation, it gives me pleasure.

With the most perfect respect, I have the honor to be, Sir, your most obedient servant

FC (DLC: Holten Papers). In the hand of Samuel Holten and endorsed by him: "Copy of a letter to the President of Harvard College." Addressed: "Revd Mr. Willard."

[1] William Carmichael had sent an "Elegant Edition" of Miguel Cervantes' *Don Quixote* from Spain for the Harvard College library and asked Holten if it had been delivered. See Holten to Enoch Putnam, October 3, note 2.

Charles Thomson to John Langdon

Sir, Office of Secretary of Congress, Octr. 7. 1785

I have received the letters you did me the honor to write on the 25 and 30th of August.[1] Since my last I have recd. sundry Acts from Massachusetts & South Carolina, and have, in Conformity to the Act of the 27 July,[2] delivered to the delegates of your state one set of each for the use of the legislature.

The printer not having yet compleated the journal of last Month, I embrace the present opportunity of Sending you herewith enclosed two Acts lately passed by Congress, one being a requisition for 1785 and the other respecting the Commissioners of the continental loan Offices.[3] The former you will likewise receive from the board of treasury who are directed to forward it and to write on the subject to the several states.[4]

With great respect, I have the honor to be, Your Excellency's Most obedt & M h S.

LB (DNA: PCC, item 18B). Addressed: "His Excellency the Govr. of New Hampshire."

[1] These letters are in PCC, item 64, fols. 260–66.

[2] *JCC*, 29:582–83.

[3] See *JCC*, 29:765–71, 792–95.

[4] *JCC*, 29:776.

Charles Thomson to James Bowdoin

Sir, Office of Secy. of Congress, Octr. 7 1785

Since my last I have received thirteen copies of sundry legislative Acts of South Carolina, one of which I have in conformity to the resolution of the 27 July delivered to the delegates of your state for the use of the legislature.[1]

I find that almost all the states are in the same situation with respect to their laws, many of which are out of print. But as their attention is now turned to this object and they have it in contemplation either to revise their code of laws or to order a new impression, I hope the End which Congress had in view will soon be answered. The printer not having yet compleated the journal of last Month, I embrace &c (as in the foregoing)[2]

LB (DNA: PCC, item 18B). Addressed: "His Excellency The Govr of Massachusetts."

[1] See Thomson to William Moultrie, October 5.

[2] For the completion of this letter see the preceding entry. Thomson also wrote similar letters this date to the governors of the following states, varying only the opening paragraphs as follows.

To Gov. William Greene of Rhode Island: "I have recd. the letter you did me the honor to write on the 29 August (PCC, item 64, fols. 562–64) and also the Act of your state vesting Congress with the power of regulating trade 25 years." PCC, item 18B, fol. 2.

To Gov. Matthew Griswold of Connecticut: "I have received your excellency's letters of the 3 and 14 Sept. (PCC, item 66, 2:304–8). The new composition of your laws will I conceive answer the end which the United States in Congress assembled proposed in their act of the 27 of July. I therefore hope your Excellency will be pleased to forward the 13 copies of that composition by the first convenient opportunity." PCC, item 18B, fol. 2.

To Gov. William Paca of Maryland: "I have recd. the letter your Exy did me the honor to write on the 2d of last Month (PCC item 70, fols. 535–37)." PCC, item 18B, fol. 3.

To Gov. Richard Caswell of North Carolina: "I have recd. the letters your Exy did me the honor to write on the 23 and 30 of August last (PCC, item 72, fols. 213–20)." PCC, item 18B, fol. 4.

See also the following entry.

Charles Thomson to Certain States

Sir, Office of Secretary of Congress, Octr. 7. 1785

As the printer has not yet compleated the journal of last Month, I have thought it improper to delay forwardg the enclosed acts lately passed by the United States in Congress assembled, one being a requisition for 1785 and the other respecting the Commissioners of the Continental loan Offices.[1]

I take this occasion to inform your Exy that having in consequence of the Act of Cong of 27 July last[2] received from Massachusetts and South Carolina sundry of their legislative Acts, I have delivered to the

delegates of your state a set of each for the use of the Legislature and hope soon to be favoured with the laws of your state to be distributed in like manner agreeable to the above mentioned Act.

With great respect, I have the honor to be, Your Exy's &c

LB (DNA: PCC, item 18B). Addressed: "His Excy The Govrs of New York, New Jersey, Pensylvania, Delaware, Virginia."

[1] See *JCC*, 29:765–71, 792–95.

[2] *JCC*, 29:582–83.

Charles Thomson to Arthur Lee

Sir, Office of Secy of Congress, Octr. 7th. 1785.

I have the honor to inform You, that on Your letter of this day, stating that previously to Your appointment to the Board of Treasury, You were elected a Member of the Assembly of Virginia, which is to be in Session the 17th Instant, and praying for leave of absence for the purpose of attending the Session of the said Assembly, the United States in Congress assembled have been pleased to resolve that leave of absence be granted to You, agreeably to Your request.[1]

I heartily wish You a good Journey and an agreeable meeting with Your friends.

With much respect, I am, Sir, Your obedient humble Servt.

LB (DNA: PCC, item 18A).

[1] For Lee's letter and this resolution, see PCC, item 78, 14:673–75; and *JCC*, 29:810.

Samuel Holten to George Partridge

My dear Sir, New York 8th. Oct. 1785.

I have been honored with your attention of the 20th ultimo with the enclosed copy of a certificate;[1] I immediately wrote to Mr. Peirce upon the subject, inclosing certificate, & his answer I have now the pleasure of forwarding.[2]

I am sorry you are destitute one moment of the best company, or any thing else that would add to your happiness, but I am very sure you will not be so happy as you might be in world, untill you add to your circle a more particular friend of the fair sex than any you have been pleased to mention.

Business in Congress goes on as agreeably as can be expected, all circumstances considered: the requisitions took up much time, that, & the resolutions respecting the loan officer, are the most important

matters that have lately been passed upon, I will inclose you newspapers containing them.

As to a fœderal town, I have no more expectation of it, at present, than if the ordinance at Trenton had not passed; for some months since two of the commissioners, vizt. Messrs. Morris & Dickinson attended in this city to receive further directions, & wrote a letter to Congress, upon the subject, but even a commitment of the letter could not be obtained, & upon the question whether any money should be appropriated for fœderal buildings when the requisitions were under consideration only three states if I recollect right were in favor of it, when, I think, twelve States were represented, & after lengthy debates, & my honorable colleague Mr. Gerry was not inattentive to the same; being instructed I was obliged to vote in favor of appropriating mony for the purpose, otherwise, I should not have done it, for how can the good people pay the taxes now called for or bear any addition.

As to commercial treaties, they remain much the same when you left us. Britain I conclude will form a treaty with us when they are convinced it will be for their interest. Two days have been spent in a come. of the whole, respecting our commercial affairs, but no report was agreed on further than asking leave to sit again, but it appear'd evident, that if Congress should ask for more powers upon this subject, they would be only temporary, by way of trial; I very much fear whether the several states will come into the measures adopted by Masstts. & N.H. & if that should be the case, I leave it with you to judge how the late laws will operate in these states.

As to keeping our faith with Holland, I can only point you to the requisitions; but some of the citizens of Holland are not likely to be able to keep their faith with us. Messrs. De La Lande & Fynje have stoped payment, & they had in their hands, it seems, 118,000 florins, belonging to the U.S.[3]

I have with pleasure complied with your request in making your compliments to the gentlemen in our family & have to return you the like salute. The Ladies at Mrs. Dunscombs we parted with in May last, having taken lodgings on Long Island, opposite to the city, but I will bear it upon my mind to make your public address to them, which I am sure will give them pleasure.

The Honorable Mr. Foster left us two days since to return home.

I remain, with the most perfect respect, your sincere friend & humble servt.

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] Partridge's letter is in the Roberts Autograph Collection, PHC.

[2] Paymaster general John Pierce's letter is not in PCC, but for his concern over the counterfeiting of Continental certificates in Massachusetts, see Rufus King to Theophilus Parsons, September 4, 1785.

[3] For the board of treasury's communications to Congress on the failure of the Amsterdam bankers de la Lande & Fynje, and Congress' September 13 directive to the board "to take such measures as will effectually secure to the United States the monies due from de la Lande & Finje," see *JCC*, 29:687n, 691n, 702; and PCC, item 140, 2:67–80. For a subsequent report on this issue by the secretary for foreign affairs, see *JCC*, 30:89, 562n. For the importance of this firm in 1782–83 to the efforts of Congress and the superintendent of finance to subscribe loans in Holland, see also Morris, *Papers* (Ferguson), 6:427–28.

Rufus King to Thomas Ivers

Sir, New York 9th. Oct. 1785

I this day received yours of the 3d instant inclosing a bill of 125 Dollars on Constable Rucker & Co. of this city, and Mr. Osgood informs me that he received from you on my account 100 Dollars. Be pleased to accept my thanks for your good disposition to have paid to Mr. Osgood the Sums I expected he would have received.

When I left Massachusetts I so arranged my private affairs, in confidence of regular remittances from the Treasury, that Drafts in addition to those, which I have already made upon my private funds, would be very inconvenient: so much so, that if the inconvenience can be obviated in no other way, I must immediately return home.

I shall be under the necessity of receiving from the board of Treasury here 541 & ⅔ Dollars, that sum being the balance of a warrant in my favor remaining in your Office, and drawing on you for the same payable at ten days sight to Colo. Thomas Walker of Boston, to whom the board are desirous of making a remittance.

I do assure you Sir, I should not adopt this measure, under the present circumstances of the Treasury, did I not find it absolutely necessary: I hope you will find your self as well able, as I am confident you will be well disposed, to pay this Bill when it shall fall due.

With entire respect and Esteem, I have the Honor to be your very obedt. servant, Rufus King

RC (MB: Chamberlain Collection). Addressed: "Thomas Ivers Esquire, Treasurer of Massachusetts, Boston."

Massachusetts Delegates to James Bowdoin

Sir, New York. 9th Octr. 1785

The enclosed Advertizement of a Resolution of the Commissioners of the land Office of this State, had not come to our knowledge when we wrote to your Excellency under the date of the 23d of August upon the subject to which it relates.[1]

We have only to add, to what We then remarked, that it is clearly the design of New York to proceed in locating and granting the lands in controversy between them and Massachusetts, notwithstanding the appointment of a federal Court to decide the question.

The Legislature of Massachusetts will without doubt consider and do what is proper for their safety and honor; We discharge our duty, by communicating to your Excellency the dispositions and acts of this State upon the subject.

With perfect respect and consideration We have the honor to be your Excellency's Obedt Servants, E Gerry

R King

P.S. Mr Holten's being on Long Island, prevents his signature.

Tr (M–Ar: Revolutionary War Letters).

[1] The "enclosed Advertizement" by the commissioners of the New York land office appeared daily from October 4 to 20 in Francis Childs' *Daily Advertiser.* It announced that the office of the surveyor general was now open to registration of "locations" within the region ceded to the state by the Oneida and Tuscarora Indians June 28, 1785, just north of the Pennsylvania state line between the Unadilla, Chenango, and Susquehanna Rivers, and therefore also within the area recently claimed by Massachusetts. See also Rufus King to Elbridge Gerry, April 18, 1785, note 4.

Joseph Gardner to John Nicholson

Dear Sir New York Octr. 10th. 1785

I recd yours of the 7th inst on Saturday Just when the post was going away therefore had it not in my power to answer it then. The application of Mr Morris is yet with the Treasury Board unreported upon.[1] I had some conversation with two of the Board on Saturday and expect that they will report this day but in what Manner I know not.[2] I was not authorized to ask nor they to have given a Certified Copy nor can I say whether Congress will allow a Certified copy to be transmitted but I rather suppose not. There is two other propositions in it than that mentioned in my last—Vizt That Congress will appoint a person to settle the accts in conjunction with you or empower the Treasury Board to nominate such a person for the like purpose.

I will write you again by next post and perhaps can give you further information.

I am Sir, Your Very humble Servt, Jos. Gardner

RC (PHC: Roberts Collection).

[1] Robert Morris' "application," an undated memorial read in Congress in September 23, is in PCC, item 41, 9:343–47. While superintendent of finance, Morris explained, he had also been authorized by the Pennsylvania Assembly to handle the state's Continental quota, and in 1781 had applied considerable sums to other purposes for which the state had not been properly credited. Recently Pennsylvania had authorized its

comptroller general (Nicholson) to obtain a settlement, and he had accordingly entered suit against Morris in the Pennsylvania Supreme Court for £36,896. Morris was therefore asking Congress to appoint a commissioner to determine the precise sum due the state and to assume the expenses of the threatened trial.

[2] The board of treasury's report on Morris' memorial was not submitted until November 17, 1785. It is endorsed, "Read 24 Novr 1785, passed Sept. 5 1786." See PCC, item 138, 2:177–80; and *JCC*, 29:885–86, 31:634–35.

Elbridge Gerry to John Clark

My dear Sir, New York 10th Octr 1785

I am favoured with yours of the 6th & recollect with pleasure the faithful Services which you rendered your Country, as a Commr. of Army Accounts, after having injured your Health in acquiring great Honor in the Field. I shall certainly think myself bound in Honor & Justice, to do every Thing in my power for obtaining a Compensation, to which the Board of Treasury at that Time, from the Circumstance You mention, thot You justly entitled—a Compensation inadequate in my Estimation to the perplexing Duties of your Office. I will call on Mr Nourse soon, & in the Interim advise You to prefer to Congress a Memorial on the Subject,[1] which will afford me an Oppertunity of doing Justice to your Merits by a fair Representation thereof to the Union.

Adieu my dear sir, & be assured I am Yours sincerely,

E Gerry

RC (DNA: PCC, item 41).

[1] Major Clark had been seeking compensation for depreciation pay since 1779, and Gerry, a member of the board of treasury when Clark was auditor of Continental Army accounts, had long been sympathetic to his claims. In keeping with Gerry's recommendation, Clark submitted a petition to Congress on January 7 which was referred to the board of treasury on January 30, but the board ruled his claim "inadmissible," and Congress endorsed the board's finding March 29, 1786. See *JCC*, 30:29n, 140n, 141; PCC, item 41, 2:223–81; and these *Letters*, 8:558–59, 14:200, 429.

John Habersham to William Gibbons

Dear Gibbons, New York, 10th Octr. 1785.

I had the pleasure of receiving your letter of the 17th Ulto. yesterday, and am much obliged to you for the various articles of intelligence it contains.

Your account of the prospect of Crops is pleasing; but from the severity of the Equinoxial Gale here, and accounts just received of the damage done in North Carolina, I am apprehensive you did not escape. I am truly sorry for the situation of your two Sisters; such re-

peated and severe indispositions will it is to be feared prove too much for Mrs. Telfair;[1] and I should think it would be well for both her and Mr. Telfair to change the Climate for a few Months.

I lately received a letter from Joe, who sent me the enclosed letter to forward; he at the same time applied for the two half Johannes's and twenty Guineas you left in my hands, which I sent him. Doctor Smith was in Town yesterday. I saw and asked him how your brothers went on; he answered well. Joe I am informed means to study during the vacation, which looks as if he is in earnest.

I think we shall leave this the beginning of next Month. Mr. Baldwin and Mr. Houstoun both say they will return about the same time; tho' I think the latter cannot easily quit a certain beautiful object. Mrs. Habersham seems reconciled to returning by water, and I imagine we shall go in one of the Carolina Packets to Charleston. The going by land is extremely tedious and not quite consistent with the length of my purse.

With hearty wishes for your welfare, I remain, Dear Gibbons, Yours sincerely, John Habersham

[*P.S.*] Mrs. H joins me in Compliments to your good Mother, Mr & Mrs. Jones &Ca. Nancy can call "Billy Gibbons."

RC (PHi: Gratz Collection). Addressed: "Wm. Gibbons junr. Esqr."

[1] Gibbons' sister, Sally, had married former Georgia delegate Edward Telfair in 1774. *DAB.*

Rufus King to Caleb Davis

Dear Sir[1] New York 10th. Oct. [17]85

Mr. Storer, a son of Deacon Storer, arrived here two days since—he came immediately from the family of Mr. Adams in London, and brings Letters from him as late as the 11th of Sepr.[2]—*Not a word of the Algerine War.* Mr. Adams mentions one circumstance which is interisting—that Mr. Lamb, whom I mentioned to you in my last had not arrived, and that from the urgency of a Treaty with the several Barbary powers, Mr. Jefferson & he had concluded to send Mr. Barclay, who is Consul General in France, to the States of Barbary to execute the business of making peace with those Pirates. This Determination was taken early in September. Mr. Barclay had asked leave of Congress to return for a short Time to America, and was indulged. He might have been expected here before this time—his not having arrived, and the information that the Commissioners Mr. Adams & Mr. Jefferson had fixed on him for the Barbary Treaties, induced a hope that this business is in a good way.

With great esteem, Your Obt. servt, Rufus King

RC (MHi: Davis Papers).

[1] Davis, a member of the Massachusetts House of Representatives, has been identified in these *Letters*, 11:288.

[2] Actually September 15, as Adams' letter of that date to John day was delivered by Charles Storer. However, the principal official dispatches received at this time were letters from Adams of July 19 and 29 explaining his prospects for negotiating a commercial treaty with the Portland ministry and enclosing his correspondence with Lord Carmarthen on "the course of commerce since the peace between Great Britain and the United States" and a proposed draft Anglo-American treaty of amity and commerce. See PCC, item 84, 5:534–84, 657, item 185, 3:142; and *Diplomatic Correspondence, 1783–1789*, 2:396–417, 476.

Richard Henry Lee to Unknown

Dear Sir,[1] New York October the 10th. 1785

The public papers will have informed you of my having left New York, and the cause.[2] The benefit that I received from the use of the Chalybeate waters in the vicinity of Philadelphia has been very flattering and has enabled me to return to this City with a Stock of health that I hope will be sufficient at least to carry me triumphantly thro my Presidential year. The circumstance of ill health has been the principal cause that has prevented me from replying sooner to your favor of August the 8th last. Indeed the current news here has been too unimportant to trouble you with reading or myself with writing it, especially as it is well detailed in the newspapers. It is with infinite pleasure I learn that our Church Convention at Philadelphia have concluded their business with great concord, the surest pledge of the future success of their System. It was a circumstance of much advantage that their Councils were not disturbed by the mischievous high chu[r]ch principles that prevail with the Nonjuring Episcopalians of these Northern regions, who, with Bishop Seabury at their head would have been very sufficient to disturb the moderate councils of any Whig Assembly in the world.[3]

Our public letters of this day from the Officers of the U. States at Pittsburg & its neighborhood, represent the Indian Nations, as Nations, in no unfriendly point of view, and seem to promise success as well to our treaty at the Mouth of Great Miami this month, as to the progress of business in surveying the Territory appointed for Sale Northwest of Ohio.[4] You have been misinform'd with respect to the violent proceedings at Boston. Both in that State & N. Hampshire they have indeed passed lately Commercial Acts respecting foreign trade generally that do not accord with our Commercial treaties both with France & Sweden, which have already produced memorials to Con-

gress from the Consuls of these nations.[5] However, as these laws were probably the product of haste & inattention, I have no doubt but that they will rectify the evil upon a proper representation from the federal head. So essential is the difference between the Northern & Southern productions and circumstances relative to Commerce, that it is not easy to adopt any general System that would well accord with all; and the Staple States shoud be feelingly alive to the proposed plan of vesting powers absolute for the restraint & regulation of Commerce in a Body of represen[tatives] whose Constituents are very differently circumstanced. Intrigue and coalition among the No Staple States, taking advantage of the disunion & inattenti[on] of the South, might fix a ruinous Monopoly upon the trade & productions of the Staple States that have not Ships or Seamen for the exportation of their valuable productions. You know Sir that the Spirit of Commerce is a spirit of Avarice, and that when ever the power is given the will certainly follows to monopolize, to engross, and take every possible advantage. I am free therefore to own that I think it both safest & best to give no such power to Congress, leave it to that Body to point out what is fit to be done in this [line] and founding their plans on principles of moderation and most accordant to the actual state & situation of the different States, to *recommend* their Systems for the general adoption. I am persuaded that this plan would be successful to every good purpose. A contrary one would, I verily believe, be more hurtful, much more hurtful to us, than even the crabbed selfish system of Great Britain. Mr. Adams, in a late letter to me from London, writing of Britain he says "*the Nation must be made to feel—but this is a work of time, and it is dangerous work, because it may in such inflammable circumstances provoke War.*"[6] Indeed our proceedings with that Nation should be well considered, and cautiously practised upon.

I am very fearful of the proceedings of our approaching Session—Breach of Treaty—Paper Money—Violations of public faith—are all, I am informed much talked of. Either of the three will be sufficient to injure us greatly, as well as the U. States. And I assure you Sir, from the best authority, that such things as those have already deeply & essentially injured the American character in Europe generally. Mr. Adams says in the same letter "I hope that per[sons] & property in America will be held sacred."

On the 8th of next month I shall return to Virga. after thirteen months absence from my family.

With very great respect & esteem I have the honor to be dear Sir your most obedient, and very humble servant,

Richard Henry Lee.

RC (MHi: Washburn Collection).

[1] The recipient was clearly a fellow Virginian, probably a member of the assembly.

[2] That is, for the recovery of his health. See *JCC*, 29:631.

[3] See Lee to John Adams, October 24, note 1.

[4] Letters from Continental geographer Thomas Hutchins of September 15 and Indian commissioner Richard Butler of September 24 were read in Congress on October 10 and 11, respectively. See PCC, item 60, fols. 189–92, item 185, 3:142; and Charles Thomson to Butler, October 12, note. Lee had also received a personal letter at about this time from James Monroe who was also at Pittsburgh, for which see Lee to Monroe, October 17, note 1.

[5] Both Massachusetts and New Hampshire had passed navigation acts during the summer restricting foreign vessels to certain ports, imposing double duties on goods imported in foreign bottoms, and placing heavy tonnage duties on all foreign vessels, which were in clear violation of the treaties of amity and commerce that had been negotiated with France and Sweden. On August 20 French consul general Barbé-Marbois sent a letter of protest to secretary for foreign affairs John Jay enclosing a lengthy memorial from Aubry, Dubois & Co., French merchants in London. And on October 8 Jay received a similar protest from Swedish consul Richard Soderstrom. These letters were read in Congress on August 25 and October 11, respectively, and referred back to the secretary to report. In his October 7 and 20 reports Jay recommended in the first instance that the protests be transmitted to the legislatures of Massachusetts and New Hampshire and that Congress "recommend to them a Revision of these Acts," and in the second that Congress recommend to all state legislatures "that the Ships and Merchants of Sweden trading here, be put exactly on the Same Footing with the Ships and Merchants of the United States." Although the first report was assigned for consideration on October 13, it was never acted on and Marbois' letter and the merchant's memorial were eventually returned to Jay on November 6, 1787. Similarly, there is no record of action on Soderstrom's protest. See *JCC,* 29:661, 817–21, 847, 929; PCC, item 80, 1:341–42, item 81, 1:437–44, 469–80, item 120, 1:402–16, item 190, fols. 61, 72; and *Diplomatic Correspondence, 1783–89,* 1:169–73. See also Rufus King to Elbridge Gerry, May 1, note 1; Massachusetts Delegates to James Bowdoin, August 23, note 5; and King to John Adams, November 2, note.

[6] John Adams' July 15 letter is in the Lee Papers, PPAmP, Lee Family microfilm. See also Richard H. Lee, *Memoirs of the Life of Richard Henry Lee,* 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:141–43.

Richard Henry Lee to George Washington

Dear Sir, New York October the 11th. 1785

I make no doubt but that you have seen in the public papers that my ill state of health had compelled me to quit this City and Congress to seek relief from leisure and the Chalybeate springs near Philadelphia. It is that circumstance that has prevented me from the pleasure of replying sooner to your favor of August the 22d,[1] which I now do with many thanks for its obliging contents. The advantage that I received to my health from relaxation and the medical power of the springs I visited, has been very flattering, and will I hope furnish me with a stock of health sufficient to finish my Presidential year with some degree of comfort. I hear with singular pleasure that the very important business of opening the navigation of Potomac goes on so well. I well know how much the community will be obliged for success in this useful work to your exertions. By a letter lately received from

the hon. Colo. Monroe,[2] who is at Pittsburg and intends to be at the Indian Treaty this month at the mouth of Great Miami; we learn that the temper of the Indian Nation *as nations*, is not unfriendly to the U. States, and promising success, as well to the coming Treaty, as to the execution of the plan for surveying and disposing of territory beyond the Ohio for payment of the public debt. Colo. Monroe represents the Intruding Settlers N. W. of Ohio to be very few in number and they disposed to obey quickly the orders of Congress. The negotiation with Mr. Gardoque proceeds so slowly, and as yet so ineffectually, that I fancy the free navigation of Mississippi is a point that we may take it for granted will not hastily be concluded upon. So that mischiefs from that source are probably postponed to a distant day. In G. Britain, they have been so engrossed with Irish affairs, that as yet Mr. Adams has done nothing at that Court. He represents the Ministry, or a majority of them, as seemingly well disposed to us; but fearing to do any thing decisive because of the discontent and irritability of the National mind, which he thinks only wants money to recommence the War with us—On which account he recommends careful, steady, & moderate conduct on our part. The dispute between the Emperor & Holland is not yet settled that we know of. But a formidable league of Prussia, Saxony, & Hanover; with some other powers, is actually signed to preserve inviolate the present State of the Empire against the intrigues of the Emperor who is stated as being much alarmed at this League.

My brother A. Lee, who will have the honor of delivering you this letter will also supply any defect of intelligence that may have happened on my part.

I pray you Sir to present my respectful compliments to your Lady with my wishes for her health.

I have the honor to be, with the most perfect esteem, respect, and regard; dear Sir your most affectionate and obedient servant,

Richard Henry Lee.

RC (DLC: Washington Papers).

[1] See Washington, *Writings* (Fitzpatrick), 28:230–32.

[2] Not found, but see Lee to Unknown, October 10, note 3; and to Monroe, October 17, note 1.

Rufus King to Daniel Kilham

My dear friend New York 12th Oct. 1785

I have your's of the third instant,[1] and do assure you, I shall never remark farther *on an Affair*, that I have ever considered as wholly unimportant in every view, except that you might think otherwise. I

wish to God you was in a different situation; you perfectly well understand me. But I am unable to devise.

I do not recollect the notice in my Letter to Mr. P——[2] which could have endangered the peace, *if it exists,* of my *particular friend,* to whom you allude—but at any rate I shall beware—this is a subject upon which I cannot add—you can imagine my feelings, and my good dispositions.

I have nothing politically important to communicate. The subject of commercial embarrassments is exhausted. Congress have no powers—and their Recommendations are nugatory. A Treaty of commerce has lately been concluded between Prussia and the United States—this Treaty contains some articles in favor of humanity, and for the Protection of the weak, which are new, and without precedent between any nations. But Prussia understands the principles of war better than those of commerce—the treaty gives an important friend to the United States, so far as paper, ink, and seals, can convey, but will in a very small degree advance their commerce, or Riches. A negotiation is upon the Tapis with Spain—but the progress is cautious, and slow—and when the business will terminate, no mortal can conjecture. England will form no Treaty of commerce in her present exasperated Temper—the Loss of America, & the difficulties with Ireland irritate the nation to an extreme degee. However well disposed the King's ministers may be upon the subject of a commercial Treaty, they will not dare proceed under present circumstances.

Unless the several States vest powers in congress to regulate commerce, or will themselves agree in some uniform Measures, no treaty can ever be expected—the reasoning of the British upon this subject is so obvious that I will not state it to you.

But enough—I bid you farewel for this time & am, your

R.K.

RC (NNC: King Collection).

[1] Kilham's draft of this letter is in the King Collection, NNC, appended to King's letter to him of September 19.

[2] Not identified; letter not found.

[3] King had also written the following brief letter to Kilham on October 10.

"I learn with extreme anxiety, the misfortune of our Friend Tileston—what must be the feelings of that amiable and charming woman. I know her fortitude, and think she will preserve those qualities even in this reverse of fortune, which formerly made her so respectable—console her; tell her that my friendship and attachment cannot change. I ardently wish to see her and my other friends—but fear I shall not very soon.

"I thank you for your last of the 11th of September, I find that some of my friendly admonitions to you were unnecessary. I am perplexed with your Opinion upon my subject—Politicks or Peace. I do assure you that I balance.

"Even in my profession I could better my prospects of property by removing from Newbury port. But I think I never shall remove." King Collection, NNC.

New York Agents and Massachusetts Agents to George Read, et al.

Sir, New York 12th October 1785

Certain Circumstances have occurred, which render it doubtful whether the Agents of Massachusetts and New York will be ready to meet the fœderal Court appointed to decide their Controversy so soon as the 15th Day of November next. We therefore think it our Duty to apprize you of this, and to request that you will postpone setting out for Williamsburgh until you hear further from us.

We have the Honor to be, Sir, Your most Obedient and Very humble servants,

E Gerry, S. Holten, R King[1] — Agents of Massachusetts

Jas Duane, John Jay — Agents for New York

RC (DLC: Read Family Papers). In a clerical hand and signed by Gerry, Holten, King, Duane, and Jay. The FC of this letter in the Duane Papers, NHi, is addressed by Duane to Read, New Castle, Del., Samuel Johnston, Edenton, N.C., James Monroe, Fredericksburg, Va., William Paterson, Brunswick, N.J., Isaac Smith, Trenton, N.J., John Sitgreaves, New Bern, N.C., and George Wythe, Williamsburg, Va. Rufus King's role in obtaining signatures for and posting the various letters is illustrated in the following note he wrote to John Jay the previous day, which is also in the Duane Papers, NHi. "Mr. King returns the Letters this morning recieved from Mr. Jay with the Signatures of the Agents of Massachusetts. If Mr. Jay will procure the Signature of the Agents of New York, and return them to Mr. King, he will seal and forward them."

[1] A copy of this letter was also enclosed under cover of the following note of this date from King to the Massachusetts agents John Lowell, Theophilus Parsons, and James Sullivan. "The accompanying is the form of a Letter signed as you will observe relative to the federal Court between Massachusetts & New York—and directed to each of the Judges, who have accepted their appointments, excepting Mr. Johnson of Maryland."

Charles Thomson to Richard Butler

Sir, Office of Secretary of Congress, Octr. 12th. 1785.

I have the honor to inform You that Your letter of 24th Sept last has been received, and laid before Congress, who have thereupon passed a resolution—a copy of which is herewith enclosed, touching the posting the troops attending the Commissioners, after the conclusion of the treaty.[1]

With must [much] respect, I am Sir, Your most Obedt. &ca

LB (DNA: PCC, item 18B).

[1] General Butler, one of the Indian affairs commissioners for the middle department, had reported optimistically from Pittsburgh on the prospects for peace on the Ohio

frontier and suggested that a company of regular troops posted at the mouth of the Miami River would make it unnecessary to mobilize the 150 Virginia militiamen authorized by Congress on June 29. See PCC, item 56, fols. 323–26; and *JCC*, 28:487, 29:822n. The enclosed October 12 resolution (*JCC*, 29:822) accordingly ordered the secretary at war to detach a company of troops for this purpose under the command of Lt. Col. Josiah Harmar, who was notified of the order in the following brief letter of this date from Thomson. "I have the honor to forward to you the resolution herewith enclosed touching the posting of the Troops, which attend the Commissioners, after the conclusion of the treaty." PCC, item 18B, fol. 4.

William Samuel Johnson to Benjamin Stiles

Dr. Sr.,[1] New York Octor. 13th. 1785.

I have receiv'd your favour, & am extremely sorry to find that Coll. Fitch has push'd his demand against Coll. Allen to the extremity of puting him in Goal, since the matter might undoubtedly have been better settled, by more lenient measures. By your statements of the grounds of the Vote there must have been very great mistakes, & I am very glad you have prefer'd a Petition which, I trust, will set the whole matter right. I have been every Moment since I receiv'd yr. Letter, so incessantly engaged in business, that it has been impossible for me to call upon Osborn for the purpose you mention. But you may rely upon it that I will take the first opportunity to do it, & tho' from his strange conduct in all his affairs, & the situation he is in relative to Coll. Fitch, I have little hopes of obtaining any thing material from him, yet I will examine him effectually & have him sworn if I find he can say anything of consequence. As to my own affairs, I cannot leave Congress before the latter end of next week or beginning of the week after, when I propose to be at Stratford & New Haven for some time, at one of which places I sho'd be happy if I could see you. In the mean time, as I have no Papers with me, I cannot state to you the amount of my Debt, nor the value of the security I have, with any precision. Indeed, the latter must depend upon what the Lands Mortgaged at Milford, which is all I have, will sell for. But I am fully persuaded they will fall very far short of the amount of my debt. I shall therefore write my son to attend you upon this business, & beg you will give him every assistance in your power towards obtaining further security, which, I trust, the Coll. will have no objection sho'd be ample, as it is only security I ask, & hope the Coll. will still go on diligently, as was proposed, to sell his Lands, & let the securities for them go in discharge of his Debts. I hope with you, that the Event of his going to Goal will not bring his Creditors upon him. It ought not to have that effect when the Circumstances are consider'd. Yet it is to be fear'd it may cause some Alarm amongst them, & it is highly expedi-

ent you sho'd do all you can to prevent it. I write in utmost haste, & am with great regard, Dr. Sr. Yr. most obedient humble Servant,

Wm. Saml. Johnson

RC (*Seaport Autographs,* no. 36 [winter 1987–88]: 21–22).

[1] Benjamin Stiles (1720–97), a 1740 graduate of Yale College, was a Connecticut lawyer and surveyor and represented Southbury, Litchfield County, as a deputy in the Connecticut Assembly, 1754–71. Franklin B. Dexter, *Biographical Sketches of the Graduates of Yale College,* 6 vols. (New York: Henry Holt and Co., 1885–1919), 1:653.

William Grayson to James Madison

Dear Sir. New York Octob. 14th. 1785.

I have recieved your letter dated at Philada.[1] & shall forward the inclosure to France in the manner you direct. Since your departure, we have been under great anxiety for the fate of Mr. Hardy; On a party to Haerlem heights about ten days ago, he unfortunately bursted a blood vessel, and from frequent hemorrhages, has been in extreme danger till about three days ago, when matters have taken rather a more favorable turn.[2] He has requested me to inform you of his desire to get a seat in the executive Council if practicable, as he thinks the climate of his own country will be more suitable to the situation of his health. He is the more anxious to have this done, as it is not only his own opininion but that of his Physicians, that he will never from the nature of the complaint, be proper for the bar; or indeed for any kind of violent public speaking. He desires you will do him the favor of shewing this to the Speaker & taking such measures as you may deem adviseable.

Nothing new has taken effect since you left this, except that Congress have had information of war being declared by the regency of Algiers agt. these U. S.[3] I am afraid the information is too true: however I will write you again on this subject, the moment the news is confirmed in such a manner as to admit of no doubt.

The suspicion here is that our friends the Brittish have done us this favor in order to make it indispensably necessary for us to imploy their vessels. Perhaps the Spaniards on making peace with the Algerines might wish that their arms might be turned agt. us. The Secy. for foreign affairs is for war with these pirates; but I cannot see the policy of this, & think we had better follow the scandalous example of the European powers, & make peace with them as soon as we can.

Nothing has transpired from Adams, respecting the subject we were talking of, since you left this.[4]

The Report of the Secy. for foreign affairs respecting Consuls, has been recommitted, & he has made another report, principall[y] recommending the vesting the the American Ministers with Consular powers—& giving them extensive limits, where they will have deputies.[5] I shall be obliged to you to let me know as soon as you can conveniently what are your sentiments respecting the price of the Western lands. Is a dollar too high all circumstances considered?

By a letter from Colo. Monroe we are informed there are not above 80 families settled on the lands of the U. S.—& these have agreed to go off when Colo. Harmer shall direct them & that The Geographer & Surveyors have left Pittsburgh to execute the Ordinance.[6] From yr. Affect. friend & Most Obed Servt. Willm. Grayson

RC (DLC: Madison Papers).

[1] Not found.

[2] Unfortunately, Samuel Hardy died October 17, for which see Virginia Delegates to Patrick Henry, October 24, note 1.

[3] See Pierse Long to John Langdon, this date, note 1.

[4] That is, the "subject" of the Continental debt.

[5] See Charles Thomson to John Jay, October 6 note.

[6] For James Monroe's letter, which has not been found, see also Richard Henry Lee to Unknown, October 10, note 4; Lee to Washington, October 11, note 2; and Lee to Monroe, October 17, note 1.

Samuel Holten to John Witherspoon

Dear Sir, New York 14th Oct. 1785.

I have been honor'd with your address of the 11th with the inclosures, which I have attended to.

My intentions were to have returned with Mr. Foster, but several matters of importance, are not yet passed upon by Congress, which the delegates from Masstts. have particular instructions to attend unto, therefore, I conclude I shall not leave congress 'till about the 10th of Novr., any services I can then render you, or at any other time, will give me pleasure.

With perfect respect, I have the honor to be, Sir, your most obedient

P.S. If the packet you are pleas'd to mention for Dr Gordon, is not too large to go by the post, I would forward it immediately.

FC (DLC: Holten Papers). In the hand of Samuel Holten.

Richard Henry Lee to Thomas Lee Shippen

New York October the 14. 1785

I hope my dear Cousin has returned to Phila. brim full of health and Law. But say, is it law, or is it the study of law alone, that is inconsistent with the duties of friendship? There must be something in the way, or it never could have happened that I should not have received a letter from you in so great length of time. My silence could not be the cause, as your humanity would readily find an apology for me in my very ill state of health. The Holker cause was not tried it seems, but the Election strife is over, and I wish to know the event, as well in other places as Phila. Nor will it be unentertaining to know something of the Manœuvres of the contending parties. Curse & doubly curse the Algerines for these Pirates I fear have too certainly made war on our Commerce. Paul Jones from L'Orient informs us that Monsr. Soulanges letter was there & its contents believed.[1] These Infernals having put all the Commercial nations of Europe under contribution, except Portugal—The trade of Portugal with Ours, is all that remains for them to Plunder. Several years ago, your worthy Father sent me a Dutch Fan to Virginia, and now the Skreens of it are all worn out. I shall thank you exceedingly for getting a new Sett of the different finesses made for me by the best hand according to the enclosed measure; that I may take them with me to Virginia as I pass thro your City on the 11th or 12 of next month. My Mrs. Lee writes me that she must & will have a handsome Bread Tray for serving bread to Table, also a Basket proper for holding clean plates, and one for foul plates. Now you must be informed that this demand comes from too high Authority for me to venture neglecting it—therefore I must again put your friendship to Work to find these out, genteel ones, and that they may be ready to go by Mr. Crump who I expect will return to Phila. early in next month by Water. I hope to see my Gun & Pistols here handsomely repair'd before the 5th of next month. My best love attends the whole family & that at German Town—And I pray God to have you in his holy keeping.

Farewell, Richard Henry Lee[2]

[*P.S.*] Put the Doctor in mind of my Gum rubrum astringens Gambiense[3]—for it is the Sheet Anchor of my health.

RC (DLC: Shippen Family Papers).

[1] See the following entry, note 1.

[2] Lee also wrote to his nephew on October 16 inquiring about "Skreens" for his Dutch fan, his cousin George Lee of Bellview, lands for sale in Kentucky, and letters his brother Arthur may have left for him in Philadelphia. In another letter of the 19th he further clarified his order for "Skreens" and mentioned the ill-timed death of Samuel Hardy. Shippen Family Papers, DLC. On October 22 Lee wrote to his niece, Anne Home Shippen Livingston, asking about the price of muslin gowns and aprons for his wife and daugthters. Bamberger Autograph Collection, NjHi.

[3] "One of the most efficacious vegetable astringents, or styptics, in the materia medica," from the resin of trees of the Gambia River region, also known as Kino. J.S. Forsyth, *The New London Medical and Surgical Dictionary* (London: Sherwood, Gilbert, and Piper, 1826), pp. 329, 417.

Pierse Long to John Langdon

Sir, New York Oct. 14th. 1785

I have the honr. to enclose your Excelly the copy of a letter from Capt Paul Jones at L'Orient,[1] am exceedingly sorry that what it contains is so unfavorable to the trade of the United States and the liberties of its citizens. In a former letter the Delegates from New Hampshire informed his Excelly. the late President,[2] that such measures had been adopted by Congress as we hoped would prove effectual to obtain treaties with the Regences of Algiers, Tunis, & Tripoli, but as yet their is no account of the despatches which were forwarded to France in April last having been received by our Minister there. And I have my doubts whether what was then thought necessary to purchase a peace, will now be adequate thereto. If it should not I am of opinion that it will be best to make such an addition as will effect it. At present we are not in a condition to be at War with any Nation, especially with one from whom we are to expect nothing but hard knocks; As Congress have not official Accts. of this war, hope the news is premiture, but am afraid from concur[in]g circumstances, Vizt. that of a peace havg. taken place between those Barbarians & Spain—& That they are better prepared for war than they ever were, that the intelligence is well Grounded.

By the last letters from Mr. Adams at the Court of London, I doubt whether a commercial treaty between that nation and the United States will take place[3]—he is of opinion that nothing will be done till the Spring, and is fearful that even then it will not be Effected.

Their is a Grand Committee appointed to receive the heads of Claims, which each state has against the United States, not cover'd by resolutions of Congress. As it will not preclude any State from Charges under such heads as may be Omitted by the delegates who deliver in the same I shall render to said committee those that Occur to my mind—and by the next post after I have presented them—will send your Excelly a copy of the list.[4]

Mr. Foster set of[f] about a week ago for New Hampshire[5]—as the Wind & Weather has been very favorable for him, I expect he is at

home by this time. I have the Honr. to be with Sentiments of Respect & Esteem, Your Excellys Most Obedient & Very Hum Servt,

Pierse Long

P.S. Since the aforegoing I am informed that Capt Ervine of the Brigt. taken by the Algerines together with his Crew are arrived at Alexandria from Tangiers Via Cadiz in 52 days passage brings no intelligence of a War—he says he was treated while there exceeding well—that no attemps were ever made to deprive them of the liberty of the place, nor to put them to any kind of Service.[6]

RC (Nh-Ar: State Papers, Revolutionary Correspondence).

[1] Jones' August 6 letter to John Jay reporting that the Algerines had declared war against the United States (PCC, item 168, 2:331–33, and *Diplomatic Correspondence, 1783–89*, 3:682–83) was submitted to Congress by Jay October 13. *JCC*, 29:833–34.

[2] See New Hampshire Delegates to Meshech Weare, February 27, 1785, note 3.

[3] See Long to Langdon, September 18, note 2.

[4] See Long to Langdon, November 10.

[5] Abiel Foster last attended Congress Friday, October 7. *JCC*, 29:812.

[6] James Erwin, captain of the brigantine *Betsey*, had actually been captured by Moroccans in October 1784 on a voyage from Cadiz to Tenerife. Congress was relieved to learn of Erwin's mild treatment and release because of reports that the Algerines had declared war on American shipping and their apprehensions over the future of negotiations with the Barbary States. Depositions concerning the treatment of the *Betsey*'s crew are in PCC, item 98, fols. 290–303. The affair was subsequently laid before Congress in a December 31, 1785, letter from Alexandria, Va., merchant Richard Hooe, which was referred to committee on February 21, 1786. No report was submitted by the committee, however, although the disposition of Congress is undoubtedly reflected in the following endorsement on Hooe's letter: "agreed to suspend the consideration until Accts are Recd from the Commsrs to treat with the Barbary Powers." See *JCC*, 30:78n; and PCC, item 59, 2:305–6, 3:105–8, item 190, fol. 84.

Elbridge Gerry to Timothy Pickering

Dear Sir, New York 15th Octr 1785

I am favoured with yours of the 11th, & have no Objection to your receiving the principal of my Debt, being £397.0.1½,[1] provided I am secure for Costs in determining the Question of Interest—but should not this Stipulation be made previously to your receiving the Money, & be inserted in the Receipt for it?

I am in Want of the following Books from Messr Jackson & Dunn, & wish to know whether I must send the others to Phila., or deliver them to any Friend of those Gentlemen here. The Books wanted are Vattel's Law of Nations.[2] Burlamaqui's principles of natural & political Law 8 vo.[3] Burlamaqui's Law of Nations[4] if the Reputation of it, is equal to his other works. Government of the Germanic Body, 8 vo. Grotius on War & peace 8 vo.[5] if it is a Translation of his Whole Work de Jure Belli & Pacis. St Evremond in French is not what I want.[6]

I have some loan office Certificates issued from Thomas Smith's Office, the Interest of which must be paid as soon as the State of Massachusetts have passed an Act complying with the Requisition. I shall send a Copy of the Act when it passes, & in the Interim propose to leave the Certificates in your Hands, if You should come here before my Return, if not, I can send them by the post, & wish to have the Interest Certificates sold at the current Exchange When issued & the proceeds vested in Flower & sent to Boston—the Interest due is about 500 Dollars.

When the Suit is terminated with Mr Willing, please to send me an Account of the Money in your Hands after a Deduction of all Charges.

Adieu Dear sir & be assured I am, Yours sincerely, E Gerry

[*P.S.*] Mr H——[7] is here & wishes to keep his office here & do the Business by proxy; but if this is his Condition I think Congress will choose another Treasurer.[8]

RC (DNA: RG 93, no. 30059).

[1] At this point in the margin Gerry wrote: "In memo gave Mr Lewis by P[ickering] & H[odgdon] the balance is set @ £396.8.1½ Barbadoes Cury. Dollar @ 6/3 which requires to add 20 Per Ct. £79.5.7½ to make, in Pensyla. currency £475.13.9. Interest required from Nov. 14. 1772."

[2] Two London editions of Emmerich de Vattel's *The Law of Nations* were in circulation at this time: a 1759–60 edition in 2 vols., and a 1760 edition in one.

[3] Jean Jacques Burlamaqui, *The Principles of Natural Law, In Which the True System of Morality and Civil Government are Established,* 2 vols. (London, 1763).

[4] As Burlamaqui wrote no such work, Gerry may have had in mind the one volume edition of the first half of the preceding work published under the title *The Principles of Natural Law,* which had been issued in various printings by J. Nourse at London in 1748, 1752, 1762, and 1780, or of the second half published under the title *The Principles of Politic Law* by Nourse in 1752.

[5] Hugo Grotius, *The Rights of War and Peace,* 3 vols. (London, 1738).

[6] Gerry was apparently misinformed about the French editions of Grotius' *Le droit de la guerre et de la paix.* Those available in his time were translations by either Antoine de Courtin (1622–85) or Jean Barbeyrac (1674–1744), not Charles de Marguetel de Saint-Denis, seignur de Saint-Evremond (1613–1703).

[7] That is, Michael Hillegas, the Continental treasurer.

[8] Gerry also wrote the following letter to Pickering on October 26.

"In Answer to your Favour of yesterday, there is an additional Charge of 12/ in my Account against Philips & Willing, being the Balla of their Account with Mr Samuel R Gerry, if I recollect the Matter: but I am not sure that the charge is not for some other Consideration, his Ballance is also due to a larger Amount. The Matter is explained in some of my Letters in 1783 to You or Mr Hodgdon on the Subject. I have never had the Account of Sales & Acct currt from Mr Lewis, & they must be in his Hands, yours, or Mr Hodgdon's—the £396.8.1½ Barb Curry is I conceive the same as our lawful Money, to reduce which to Pennsylva Curry You must add ¼, altho lawful is only 20 Per Ct better than your Curry—[£396.8.1½] + 99.2.0¼ = £495.10.1¾. If I rightly remember, the Account Currt. & Account of Sales, were in a Letter from Philips & Willing, & made part thereof, & the Copy was sent by me to You from Annapolis.

"Mr Rivington informs me General Greene will probably want 'Stewards political œconomy,' [James Steuart, *An Inquiry into the Principles of Political Œconomy,* 2 vols. (London, 1767)], & if Messieurs Jackson & Dunn can leave the Books till the General's Answer is obtained, it is probable they will be sold."

Samuel Holten to James Ewing

Sir, New York 15th. Oct. 1785.

I was favored with your attention of the 8th, the day before the choice of a commissioner of the Loan office came on, & as there was several candidates, & interest made with members of Congress, it required particular attention of your friends, but I have now the pleasure of congratulating you on the appointment,[1] & please to be assured it gives me real satisfaction to think I have had it in my power to render you services.

I remain, with great respect, your most obedient

P.S. The honorable Mr. Partridge left us in March last.

FC (DLC: Holten Papers). In the hand of Samuel Holten.

[1] For Ewing's election the previous day as Continental loan officer for New Jersey, see *JCC*, 29:834–35; and Charles Thomson to the Board of Treasury, October 17.

Charles Thomson to the States

Sir, Office of Secretary of Congress, Octr. 15. 1785

I have the honor to forward to your Excellency herewith enclosed an Act of the United States in Congress assembled of the 12 instant, by which the several states are earnestly called on to compleat without delay the whole of their quotas of the requisitions of Sept 1782 and of April 1784, copies of both which you will find enclosed.[1]

Your excellency and the legislature have doubtless observed that in the estimate of 1784 Congress counted upon a compliance with the preceding requisition and therefore in the statement of the interest due at the close of 1782 they supposed its amount lessened by 1,200,000 dollars required and apportioned by the resolutions of the 4 & 10 of Sept 1782 and appropriated to the sole purpose of paying the interest of the public debt.[2]

The requisition of 1785 provides for the payment of the interest of the domestic debt up to the end of the year 1784, on a supposition that the states have complied or will speedily and effectually comply with the previous requisitions of 1782 & 1784. Unless this is done the end will not be attained, and the measure of facilities will operate injuriously to the domestic creditors. For it being provided by the last requisition that the holders of loan Office certificates or other certificates of liquidated debts may have the interest due thereon settled up to the last day of the year 1784, and receive the amount in certificates receivable from the bearer in lieu of money in discharge of only two thirds of the sum required for 1785, it is apparent that so far as any

state has been deficient in complying with the former requisitions will certificates be issued, to the redemption of which the requisition of 1785 will be inadequate. To obviate this inconvenience & guard against the consequent depreciation of the interest-certificates, Congress have passed the resolution of the 12th by a compliance with which effectual provision will be made for the redemption of all the certificates which will be issued & thereby their credit will be preserved.

For further particulars I beg leave to refer Your excellency to the board of treasury who will write to you on this subject.

With the greatest respect, I have the honor to be, Your Excellency's

LB (DNA: PCC, item 18B).

[1] See *JCC*, 29:823–24.

[2] For the 1785 requisition adopted by Congress on September 27 in which these details were incorporated, see *JCC*, 29:765–71.

Joseph Gardner to John Nicholson

Dear sir New York Octr. 16th. 1785

In answer to yours of the 13th inst. it is my opinion that the resolutions of 3d of June 1785 does away all former requisitions and gives a Credit to them for whatever sums they may have paid.[1]

They will likewise be charged with all sums advanced to them—and that a Ballance must be struck upon the mode of Valuation pointed out by the confederation unless the States Shoud adopt the new mode submitted some time since.

I am &c, Jos Gardner

RC (PHi: Gratz Collection).

[1] Gardner is apparently referring to the congressional resolutions of June 3, 1784 (not 1785) adopted "in answer to questions proposed by the Commissioner for settling the accounts of the State of Pennsylvania with the United States," for which see *JCC*, 27:541–44.

Rufus King to Caleb Davis

Dear Sir, New York 17th. Oct. 1785

The laws relative to commerce and navigation passed in the last Session of the General Court are disinterested proofs of the disposition of Massachusetts to make considerable Sacrifices for the common good. But care should be taken to well observe the extent of such sacrifices, and the Effect they may have, where we might not intend them to operate. I will not venture an opinion concerning the policy of a re-

peal of those laws, in case it shall turn out, as I expect it will, that neither this State nor Connecticut, Jersey nor Pennsylvania, will pass similar Laws to those of Massachusetts. But if the inclosed Report of the Secretary of the united States for the Department of foreign Affairs is well founded,[1] and if some parts of it I have not heard a doubt started—it will be necessary to make some Alterations in the Laws. I wish you to examine this Report and be obliging enough if you think proper to shew it to such persons of the court as ought to see it—it is a paper unacted upon in congress, therefore improper to be given to the public.

How you will think of the Delegates for their delay in following the instruction of the Legislature upon the Subject of a convention for the purpose of a general revision of the confederation I do not know[2]—in addition to the ideas communicated in our joint Letter to the Governor, which undoubtedly will be laid before the Legislature, there are many reasons in favor of our Opinion which would be improper to have communicated, but which in our Opinions are of great weight. If the Legislature direct us to proceed, we go on *under their directions.*

With great respect and Esteem your Obt. Servt.,

Rufus King

[*P.S.*] I inclose two copies, & request the favor that you will present one of them to the President of the senate with my best respects.

RC (MHi: Davis Papers).

[1] For secretary John Jay's October 7 report on "the Acts of New Hampshire and Massachusetts for regulating Navigation and Commerce &c," which had been challenged by "Certain french Merchants," see *JCC,* 29:817–20; and Richard Henry Lee to Unknown, October 10, note 5. See also King to Davis, November 3.

[2] For their explanation of this delay, see Massachusetts Delegates to James Bowdoin, August 18, note 2.

Richard Henry Lee to Samuel Adams

My dear Sir New York October the 17. 1785

I am well satisfied that your friendship has long since suggested an apology for my not sooner answering the letter that you did me the honor to write to me on the 7th of August last,[1] because you will have been informed that my ill state of health compelled me to quit business and Congress, to seek for remedy in the medical waters lately discoverd in Pennsylvania. I thank God that my health has been so restored as to enable me to return to my duty here, and I hope with a stock sufficient at least to carry me thro my Presidential year with some comfort to myself. The Governors letter concerning Capt. Stanhopes misconduct was immediately laid before Congress, and yours to

me communicated to your delegates.[2] In my absence Congress determined to send the papers to Mr Adams in order to place the matter before Capt. Stanhopes Superiors. It is certainly very difficult to judge of Courts & Courtiers, because hypocrisy, simulation, and dissimulation reign throughout—but so far as we may judge from the civilities shewn to Mr. Adams, and the professions made to him, we may suppose that the behavior of Capt. Stanhope (which seems to have been a complication of folly & insolence) will not be approved at St. James's. We do not find however, that the civil appearances about the Court of London have as yet produced any solid good effects—for still they hold the Posts, still they encroach on our Eastern boundary, and still their Commercial regulations continue crabbed, and hurtful to themselves & to us. Perhaps time may heal the wound that yet rankles in the National breast. I fear it is too true that the Algarines, these Hostes humani generis, have commenced war upon our Commerce, and if we are not lucky enough to purchase a peace from these Barbarians before they taste the sweets of plundering our Commerce, it may be long before we can quiet them, and be most difficult to accomplish. As for warring with them, as some propose, thro choice I say that it is a very crude & strange opinion. In such a War we shall have every thing to loose and nothing to gain. Is it possible that G. B. can have been so wicked as to have stimulated this War for Commercial purposes, and in revenge for our separation? If it were not that all things are possible with the corrupt Politicians of this day, I should say that they could not be so base. I think it seems probable that Ireland will not receive the British regulation of their Commerce, and if they reject the propositions with proper spirit, it may terminate not only in relieving Ireland, but also in disposing the haughty Britons to be more reasonable in the Commercial system with us.

I beg that my respectful compliments may be acceptable to Mrs. Adams, and that you may be assured of the perfect esteem and regard with which I am your friend and affectionate Servant

Richard Henry Lee

My compliments, if you please, to Gen. Warren. I shall write to him soon. R.H.L.

RC (DLC: Samuel Adams Papers).

[1] Adams' letter is in the Lee Family Papers, ViU, and on the Lee Family microfilm.

[2] For Capt. Henry Stanhope's "misconduct," see Charles Thomson to James Bowdoin, August 20, note.

Richard Henry Lee to James Monroe

Dear Sir, New York October the 17. 1785

I have received the letter that you did me the honor to write to me from Pittsburg,[1] and I am much pleased to find by it that the Indian nations, as nations, are not indisposed to us. I think it augurs well to our treaty at Miami, and for the survey & sale of western territory. I am very unhappy to inform you of the death of our most worthy friend Mr. Hardy. He has been sick almost ever since you left this place and early this morning he departed this life, greatly reduced, and without much apparent pain. His loss to the public is great. I wish sincerely that the Assembly may be both able & willing to fill his vacancy with equal ability & virtue—but unfortunately for the good of society, such characters as poor Hardy are rarely to be found, and too frequently bad men are ready to oppose merit & to thrust themselves forward into places that should be filled alone by sense & virtue. Colo. Grayson proposes to sell the horses that you & Mr. Hardy had in partnership, as they will soon eat their heads off here, and where no Owner wants their use. We have too much reason to apprehend that the Algerines have declared war against our Commerce. These pirates having lately made a profitable peace with Spain, they have now (to the shame of Europe be it said) almost the whole of Europe their Tributaries, so that having little plunder now to get from that quarter, the Arm of rapine is sketched out against us. It is most clear to me from Mr. Adams's account of what passed between him & the Secretary of State concerning the British debts, that if our Assemblies do not irritate by throwing obstructions in the way of the Treaty of peace we shall obtain every reasonable wish concerning time for payment. He seems to be apprehensive of Violence—for he says "It cannot be too strongly recommended to let persons & property be held sacred."[2] You will find that the business of Facilities,[3] insultive as it is to us who have few or none, has been forced upon us as contended for when you were here. It is to me most plainly proper, that our Assembly should Tax our people, only for Federal purposes, what will suffice to pay our Quota of the foreign interest, and the expences of the federal government; and not admit any facilities to be received in discharge of the Taxes but such as have *originated* with our own Citizens. This last will disappoint the plan of purchasing our produce with the certificates of those Northern States which will pay the domestic Creditors in these States whilst our own go unpaid. And thus we shall realy give

a bribe to prevent the settlement of our Accounts and consequently prevent the payment of our own Citizens who are at least as large Creditors of the U. States as the Citizens of any other State.

I shall be very happy to see you at Chantilly before you leave Virginia to return to Congress.

I am dear Sir, your friend and servant, Richard Henry Lee

P.S. Poor Hardy is to be buried in the evening of tomorrow under the directions and Auspices of Congress—for his funeral we are adjourned two days.[4] R. H. Lee

RC (DLC: Monroe Papers).

[1] Not found, but see Lee to Unknown, October 10, note 4.

[2] For John Adams' letter of July 15, see ibid., note 6.

[3] For which see James McHenry's Committee Report, ante March 31, note.

[4] See Virginia Delegates to Patrick Henry, October 24, note 1.

Massachusetts Delegates to James Bowdoin

Sir, New York Oct. 17th. 1785

We have the honor to inclose to your Excellency two acts of congress one of the 12th and the other of the 13th instant; the former applies to a Subject that becomes more and more important every day, the magnitude of it's object cannot have escaped your Excellency's Observations.[1] The latter concerns the same Subject as that of the former, so far as it relates to a preservation of the entirety of the Territories of the Confederacy. This Act is an instruction to a foreign minister, and is considered by congress as under the Obligation of Secrecy: we have the permission of congress, to trans[mit] to your Excellency, for your information, and that of the Legislature, *under an injunction of Secrecy.*[2]

We hope the fullness of the powers delegated thereby to Mr. Adams, when joined to his good dispositions, will effect such an adjustment, as shall be satisfactory to the commonwealth.

It has not been in our power at an earlier day to accomplish this business with any degree of Satisfaction to ourselves—but the Train into which this business is now thrown, leaves us nothing farther relative thereto, to hope or expect from Congress.

Should there remain with your Excellency any documents or evidences on this subject, we submit the expediency of their early transmission to Mr. Adams.

With perfect respect and esteem, we have the Honor to be your Excellency's obedient servants E. Gerry.

Rufus King

[P.S.] Mr. Holten's being on L. Island prevents his Signature.

RC (ViU: Davis Marshall Autograph Collection). Written by King and signed by King and Gerry.

[1] Congress had resolved to appoint a grand committee "to report what measures are proper for Congress to adopt, to prevent the ill consequences of a particular district in any State, setting up and claiming the right of independent government," an issue long associated with the aspirations of the separatists of Vermont, but more recently also with those of Kentucky, Franklin, and the Maine district of Massachusetts. See *JCC*, 29:822–23; Massachusetts Delegates to Caleb Davis, October 27; and Richard Henry Lee to Thomas Jefferson, October 29, note 5.

[2] See *JCC*, 29:828–29; and Massachusetts Delegates to Bowdoin, September 20, note 1.

Charles Thomson to the Board of Treasury

Gentlemen Office of Secretary of Congress, October 17th. 1785.

I have the honor to inform you that in consequence of your Letter of the 12th,[1] the United States in Congress assembled have proceeded to the election of Commissioners of the Continental loan Office and have been pleased to appoint

Mr James Ewing for the State of New Jersey
Mr James Tilton for the State of Delaware
Mr Edward Blake for the State of South Carolina &
Mr Richard Wylly for the State of Georgia.[2]

I have sent you herewith enclosed Certificates of their appointments that you may transmit them with the Act specifying their duties and such instructions as you shall judge proper.

With great respect, I have the honor to be, Gentlemen, your Most Obedient & Most humble Servt, C.T.

LB (DNA: PCC, item 18B).

[1] The commissioners' letter is in PCC, item 140, 2:107–10.

[2] See *JCC*, 2:834–35.

William Samuel Johnson to Thomas Chittenden

Sir.[1] New York, 18th October 1785

I beg leave to mention to you that the bearer Mr. Kelly and all the Gentlemen of N. York who have Patents under the late Province of New York for Lands in Vermont which had not been previously Granted by New Hampshire exerted themselves extremely last Winter to serve the people of Vermont and obtain their Independence. For this purpose they presented a Petition to the assembly of this State, praying that they would pass a Law to enable their Delegates in Con-

gress to Apply for and Consent to the Sovereignty and Independence of Vermont, In consequence of which a Bill was brought into the House of Assembly to that effect, a Certified copy of which you have here inclosed.[2]

Mr. Kelly has laid before me a Letter of Instructions and power of Attorney from the Gentlemen who presented the said Petition directing him to offer their Lands to the persons now residing thereon upon such Terms as upon the best examination I have been able to give the subject appear to me reasonable and Just. I am induced therefore to request that you will recommend a Compromise to those Settlers, for if they sho'd not avail themselves of this favorable opportunity of securing an indisputable title to their Farms the New York proprietors will probably er'e long raise the price of said Lands which they alledge they had lotted out antecedent to the late War and actually Sold some parts thereof to persons who Settled thereon and who in some instances executed Bonds and Mortgages for the Consideration Money and in others entered into written agreements for the purchase of them & yet afterwards took Grants from Vermont for the same Lands.

Be assured Sir these Sentiments are dictated by the principles of Humanity and friendship for the Settlers ⟨*my Situatuion as a Member of Congress will not admit of my being more Explicit on this Occasion*⟩ & a sincere desire to prevent expensive & ruinous Controversies which so litigated a subject may occasion to both Parties.

Give me leave to mention upon this occasion, that I sho'd be extremely happy in an Opportunity to renew our former Acquaintance & friendship, & to Converse with you or any of yr. Friends upon the general affairs of yr. State as relative to the United States, which have lately been the subject of much conversation here. I have the Honour to be with great respect & Esteem, Yr. Excelys. most obedt. hume. Servt.[3]

FC (CtHi: Johnson Papers). In a clerical hand, with interlineations and concluding paragraph by William Samuel Johnson.

[1] Vermont governor Thomas Chittenden has been identified in these *Letters*, 13:17n.

[2] Enclosure not found, but for Johnson's support of Vermont independence at this time, which came before Congress on October 7 and 13 in the form of a motion by David Howell for amending the Articles of Confederation to permit the admission of new states on the vote of nine states in Congress, see *JCC*, 29:811–12, 827–28; and George C. Groce, *William Samuel Johnson. A Maker of the Constitution* (New York: Columbia University Press, 1937), pp. 167–68. For John Kelly's claim and Johnson's and Kelly's subsequent interest in Vermont statehood, see also John C. Williams, ed., *The Public Papers of Governor Thomas Chittenden* (Barre, Vt.: Secretary of State, 1969), pp. 693–94, 697–98, 767–68. See also Richard Henry Lee to Thomas Jefferson, October 29, note 5.

[3] Johnson also wrote the following letter to Chittenden on October 19 concerning another Vermont grant.

"Mrs William Smith of this City states to me that after the death of Sir Henry Moore a Patent passed the Seal of the late Province of New York to certain persons therein named for a Township called Moore Town situate[d] on the west side of Connecticut River to the Southward of and adjoining to Newbury. That the Grantees of that Township conveyed the whole thereof to Mr. Smith who held the same in Trust for the Family of Sir Henry Moore except three thousand Acres which he conveyed to the persons who were settled thereon agreeable to an Order of the then Council of New York. And that some years after a Mr. Plenderleath Son in Law to Mr. Smith purchased the Township for valuable Consideration of the Heirs of Sir Henry Moore. Mrs. Smith has been lately informed that Vermont had not regranted the same but that General Hazen and others have applied for a Grant thereof under an Idea that Governor Benning Wentworth had promised him a Patent for that Tract of land. Under these Circumstances I conceive it would be improper to Grant those Lands to Genl. Hazen and his Associates at least not without Notice to Mr. Plenderle[at]h who is in Europe & giving him a full opportunity to be heard on the subject. Not to mention that a measure of this kind would seem to be but too similar to the Conduct of the late Province of New York in regranting the New Hampshire Townships. I beg yr. Frien[d]ship upon this occasion to Mrs Smith & her connexions as far as may consist with the honour of yr. Character." Johnson Papers, CtHi.

For Moses Hazen's challenge to the Mooretown grant to William Smith, see *The Public Papers of Governor Thomas Chittenden,* pp. 637–38; and E. P. Walton, ed., *Records of the Governor and Council of Vermont,* 8 vols. (Montpelier, Vt.: J. & J. M. Poland, 1873–80), 3:63, 65.

Rufus King's Proposed Letter to Congress

New York 20th. Oct. 1785

To the honorable the United States in congress assembled—the Subscribers, Agents of the States of Massachusetts & New York beg leave farther to represent—[1]

That the hon'ble Thomas Johnson who had accepted as one of the commissioners to constitute a federal court in pursuance of the Resolution of congress of the 10th day of December last hath declined that appointment, and that no answer hath been received from the hon'ble William Flemming concerning his appointment as one of the said Commissioners, in consequence whereof it hath become impracticable to hold the said federal court on the third Tuesday of November next conformable to their joint Act certified to congress on the 9th day of June last. Whereupon the said Agents pray that farther day may be given to them for appointing by joint consent, commissioners in the places of the said Thomas Johnson and William Flemming, and that the said federal court be held at the City of Williamsburgh in the State of Virginia, on such future day as they the said Agents may hereafter jointly agree upon, and certify to congress, any thing in their joint act of the 9th of June aforesaid, to the contrary notwithstanding.

FC (NHi: James Duane Papers). In the hand of Rufus King and endorsed by Duane: "Massact. Agents draft of an Applica. to Congress for Leave to appoint judges in the Room of Messr. Flemming & Johnson–not agreed to by NY. 20 Octobr 1785."

[1] For the context of this letter, see Elbridge Gerry and Rufus King to John Lowell et al., September 29; and Massachusetts and New York Agents to George Read et al., October 12, 1785.

Richard Henry Lee to John Adams

Dear Sir New York October the 23d. 1785

I received the letter that you did me the honor to write me on the 15th of July[1] with the pleasure that always accompanies the receipt of letters from my old and much esteemed friend. I see with pleasure that your reception at the Court of London has been such as to promise you an agreeable residence there; which may be somewhat pleasant altho you should unfortunately fail in the principal objects of your mission. This last however I yet hope will not be the case, since you represent the majority of the Ministry as able, and thinking rightly with respect to us. The national mind cannot sure continue long under the delusion created by the most vindictive and abominable characters in the world. I mean the Tory refugees, who by themselves, and by those, who for sinister purposes, have suffered themselves to be imposed on by these people, are industriously keeping up on both sides of the water a contentious and mischievous spirit, to the great hurt of both countries. We know them here, and by this time they ought to be known in England, to which country they have caused by their misrepresentations such infinite evil. In the mind of a person acquainted with the true state of things, there can remain no doubt but that this moment is the most favorable one that will probably occur again for G. Britain to make a favorable Treaty of Commerce with these U. States. The events that took place immediately succeeding the war, and which have produced such wrong conclusions touching the British security of possessing our Commerce exclusively, cannot prevent our Trade from going, as it is fast proceeding to do, into other channels, where it is driven by the mistaken discouragements that are imposed by Britain. I have myself no doubt but that smart duties of Tonnage will be laid by all the States on the Vessels of those nations with whom we have not Commercial Treaties. And that such will be prohibited from importing into our Ports productions or manufactures not the growth or manufacture of the Country importing them. Thus these States, forced into it by the intemperance of G. Britain, and led by her example, will be forming laws to discourage a Commerce that might be so mutually beneficial if wisdom and temper prevailed over passion and folly. The project of a Treaty proposed by you

to the Court where you are, is so perfectly just, and will be so greatly beneficial to both, that I cannot help hoping it will yet be agreed to. I am greatly obliged to you Sir for your good intentions respecting Mr. Steptoe,[2] and I entreat that you will so have him in your mind as that you may effectually promote his views whensoever an opportunity shall present. Much harmony has prevailed this year in Congress, and I hope the same concord will continue.

The present federal year being on the point of ending I shall return to Virginia, and as I mentioned in a former letter, you may write very securely to me, under the care of Messrs. Wallace, Johnson & Muir Merchants in London, who will safely forward your letters.

I am, with the most sincere and perfect esteem and regard, dear Sir, your most obedient and very humble servant,

Richard Henry Lee.

P.S. Be so kind as forward Mr. Jeffersons letter to him by the safest opportunity that you can meet with—I have since determined to send Mr. Jefferson's Letter by the French Packet.

RC (MHi: Adams Family Papers).

[1] See Lee to Unknown, October 10, note 6.

[2] See Lee to Adams, May 28, note 3.

William Ellery to William Greene

Sir New York Oct. 24th. 1785.

Give me leave through you to represent to the Genl. Assembly, that in Decr. last I drew a bill for 250 dollars upon the Genl. Treasr. of our State in favour of Messrs. Hewes & Anthony, who had furnished me with money for my subsistance, that said bill has not yet been paid, altho' Mr. George Gibbs, to whom it was transmitted, has frequently solicited for payment, and that I am called upon to repay the money generously advanced.

For a long time I have been subsisted by small sums of money as they could be obtained from the Treasury, and by the advances of my friends; and I have never had it in my power to discharge this debt.

Justice and gratitude compel me to intreat the Honorable General Assembly to order the Genl. Treasurer to procure money, and discharge the draught before mentioned immediately.

I expect soon to return home. I am in arrears for my board, and unless I am supplied with about 100 dolls. I shall be under the painful and disgraceful necessity of leaving New York indebted to the person with whom I have boarded, permit me therefore to urge that this sum also be furnished by the Treasr. directly.

In full confidence that these necessary requests will be complied with, and with sentiments of high respect for your Excelly., and the Honorable Assembly, I am your Excellencys most obedt servant,

William Ellery[1]

RC (R–Ar: Letters to Governors).

[1] Ellery also wrote the following brief letter to Benjamin Franklin on October 10, which is in the Franklin Papers, PPAmP.

"Agreeably to the request of William Vernon Esqr., late of the Navy board of the United States, I now inclose his letter directed to you.

"I heartily congratulate you on your return to America, and am with great respect, Your most obedient servant, William Ellery."

Richard Henry Lee to John Adams

Dear Sir New York October the 24th 1785

Having yesterday written a long letter to you, I have now only to request your attention to the following business, which is of very great importance to those whom it concerns, and who form a considerable portion of the Citizens of these States. The representation of those professing the Church of England system of religion, having been lately assembled at Philadelphia where Lay & Clerical deputies from seven States were convened in General Convention for the purpose, among other things, of preserving and maintaining a succession of divines in their Church, in a manner which they judge consonant to the gospel, and no way interfering with the religious or civil rights of others—have sent an address to the Archbishops and Bishops of England, proposing a plan for the consecration of American Bishops.[1] It is imagined, that before anything is done in this business by the Bishops of England, that they will consult the King and Ministry; who, it is apprehended may now, as heretofore, suppose that any step of the kind being taken in England might be considered here as an officious intermeddling with our affairs that would give offence on this side the water. Should this be the case, the Church of England Members in Congress have the greatest reliance on your liberal regard for the religious rights of all men, that you will remove mistaken scruples from the mind of administration, by representing how perfectly consonant it is with our revolution principles professed thro-out all the States, that every denomination of Christians has a right to pursue its own religious modes, interfering not with others. That instead of giving offence, it must give content, by evidencing a friendly disposition to accommodate the people here who are members of the Church in question. In proof of this, Congress did lately shew their attention to the accommodation of this Class of Christians, by communicating to the different Executives your information from the Danish Minister of

that Kings willingness to facilitate the business of ordination for our church[2]—And the Assembly of Virginia hath incorporated this Society—Under which Act of incorporation the Convention was held in that State that sent both Lay & Clerical deputies to the General Convention lately held in Philadelphia.

I have the honor to be, with sentiments of the truest esteem and regard, dear Sir Your most obedient and very humble servant.

Richard Henry Lee

RC (MHi: Adams Family Papers).

[1] For the work of the General Convention of the fledgling Episcopal Church that assembled in Philadelphia from September 27 to October 7, see William W. Manross, "The Interstate Meetings and General Conventions of 1784, 1785, 1786 and 1789," *Historical Magazine of the Protestant Episcopal Church* 8 (September 1939): 261–70; for the wider controversy over ecclesiastical authority and conflicting plans of organization within the church in 1785, see Clara O. Loveland, *The Critical Years; The Reconstitution of the Anglican Church in the United States of America, 1780–1789* (Greenwich, Conn.: Seabury Press, 1956), pp. 118–66.

[2] See Rufus King's first letter to Elbridge Gerry, March 31, note 2.

Virginia Delegates to Patrick Henry

Sir New York Octob. 24th. 1785.

We are sorry to inform your Excellency of the death of one of our Colleagues, the Hon'ble Mr. Samuel Hardy; This gentleman had been indisposed for some time, when in coughing he happened to break a blood vessel; of this, & his other complaints he lingered till the 17th of this month when he departed this life; Congress on his decease appointed a Commee. to superintend his funeral, & he has been interred in a manner suitable to his Station in the Vault of St. Paul's church in this City.[1]

We have been waiting for some time to know the result of a grand Comme. appointed to digest principles for the settlement of public accounts before we answered your last letter; We cannot say that we have any reason to flatter ourselves that any thing effectual will be adopted during this Congress, though we shall do every thing in our power to obtain so desirable an object: We presume the report of the Commee. will come in (if at all) before the departure of the next post, when we shall write you again.[2]

We have the honor to be, with the highest respect, Yr. Excys. Most Obed serts.,

Richard Henry Lee.

Wilm. Grayson

RC (Vi: Continental Congress Papers). Written by Grayson and signed by Grayson and Lee.

[1] On October 17 Congress had declared a thirty day mourning period and instructed a committee consisting of William Grayson, Jacob Read, and John Kean to make ar-

rangements for Hardy's services the following day, notifying the chaplains of Congress and inviting Gov. George Clinton, Mayor James Duane, "the Ministers of foreign powers . . . and other persons of distinction in town, to attend the funeral." *JCC*, 29:836. An elaborate account of the observance, including an elegy by "Amyntor," appeared in the October 20 issue of the *New York Journal or Weekly Register*, which noted that "the concourse of people assembled on this mournful occasion was prodigious—the splendor and admirable order of the procession has never been equalled in America, who has, in the death of this virtuous, amiable, and eminently accomplished Senator, sustained a loss exceeding all description." See also the *New York Daily Advertiser* for October 18, 19, and 20. For Virginia assemblyman John Tyler's suggestion to Governor Henry that the state withstand the £150 expense of Hardy's funeral to spare the impecunious Hardy family, and the assembly's response in naming a county after Hardy, see Henry, *Patrick Henry*, 3:341–42; and Hening, *Statutes*, 12:86–88.

[2] For the appointment of a grand committee on the settlement of public accounts and the long delay in the adoption of an ordinance, see Joseph Gardner to John Dickinson, October 1. For Henry's August 12 letter to the Delegates, see Henry, *Patrick Henry*, 3:314–16.

Charles Thomson to the States

Sir, (Circular) Office of Secretary of Congress, Oct 25. 1785

I have the honor to transmit to your Excellency herewith enclosed two copies of the continuation of the Journal of Congress from the 25 August to 29 Septr. one copy for the legislative & the other for the executive branch of government. In conformity to the act of 17 Aug, I enclose also a list of the states represented & of the Members who have appeared in Congress during the last Month,[1] and have to request the favour of your Excellency to lay it before your Legislature.

With the greatest respect, I have the honor to be Your Excellency's Most obed & most hu S, CT

ENCLOSURE

A State of the Representation in Congress, for the Month of September 1785—pursuant to the Act of 17th August, 1785.

[*See opposite page*]

LB (DNA: PCC, item 18B). Enclosure (DLC: Continental Congress Miscellany).

[1] For the first of these lists which Secretary Thomson sent to the states regularly hereafter, see Thomson to James Bowdoin, September 6, 1785.

ENCLOSURE

A State of the Representation in Congress, for the Month of September 1785—pursuant to the Act of 17th August, 1785.

Members who appeared in the course of the month	1	2	3	5	6	7	8	9	12	13	14	15	16	17	19	20	21	22	23	24	26	27	28	29	30
New-Hampshire																									
Mr Foster	r	–	–	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Long																									
Massachusetts																									
Mr Gerry																									
Mr Holten	r	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr King																									
Rhode-Island																									
Mr Ellery	1	1	1	1	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Howell																									
Connecticut																									
Mr Cooke	r	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Johnson																									
New-York																									
Mr Haring	r	r	–	r	r	r	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Smith																									
New-Jersey																									
Mr Cadwallader	1	1	–	1	1	1	1	1	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Stewart																									
Pennsylvania																									
Mr Gardner																									
Mr Jackson	r	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Pettit																									
Mr Wilson																									
Delaware																									
Mr Vining	r	r	–	r	1	r	r	1	r	r	r	r	r	r	r	r	r	r	r	1	r	r	1	1	1
Mr Bedford																									
Maryland																									
Mr McHenry	r	r	1	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	1	1	1	
Mr Hindman																									
Virginia																									
Mr Hardy																									
Mr Lee	–	–	–	–	–	1	–	–	r	r	1	1	1	–	1	1	1	r	r	r	r	r	r	r	r
Mr Grayson																									
North-Carolina																									
Mr Cumming	1	1	1	1	1	1	1	1	1	1	1	–	1	1	1	1	1	–	–	–	1	1	1	1	1
South-Carolina																									
Mr Read																									
Mr Bull																									
Mr Pinckney	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	1	r	r
Mr Kean																									
Georgia																									
Mr Houston																									
Mr Habersham	r	r	–	r	r	r	r	r	r	r	1	1	r	r	r	r	r	r	r	r	r	r	r	r	r
Mr Baldwin																									
The States represented	9	5	2	9	8	9	9	8	11	11	10	10	11	11	11	11	11	12	12	11	12	12	9	10	10

Massachusetts Delegates to Caleb Davis

Dear Sir, New York 27th Octr 1785

The Delegates inclosed to the Governor a Resolution of Congress, which has probably been communicated to the Legislature, appointing a Grand Committee for preventing the Separation of Districts from the parent States, without Consent thereof & of the U States:[1] & We inclose You a Copy of the sd Resolution & likewise of an Act of Pennsylvania,[2] by which that State put an effectual Stop to Attempts which had been made therein, to make Such a Separation. It is not probable the Grand Committee will be able to report to this Congress, whose Time is nearly expired, but a new appointment will be called for, in the next Congress, & the proceedings thereof Will be transmitted to the Governor. In the Interim, We think it necessary to inform You confidentially, that notwithstanding the Sovereignty of every State is expressly guaranteed by the Confederation, & the Force of the Union must be furnished when necessary to suppress the Opposition of any District to the constitutional Authority of a state over the same. Yet there appears not any great Indisposition in the Delegates of the other three N England States to dismember Massachusetts, altho in a full Representation of all the States, there would undoubtedly be a Majority firm, in a due administration of the powers of Congress to prevent such Dismemberment. This is an object, which We consider of the highest Importance to Massachusetts, whose power to guard it's own Rights, & whose Weight & Dignity, must sink in proportion to its Loss of Territory. We therefore submit it to your Consideration, whether it may not be best for the Legislature to instruct their Delegates of the next Congress to attend to this Business, & also to pass an Act similar to that of Pennsylvania. We remain sir with the sincerest Esteem your Friends & very humł servts, E Gerry

R King

[*P.S.*] Will it not be best to publish the Pennsylvania Act, with a short Introduction applicable to the province of Main?

RC (MHi: Davis Papers). Written by Gerry and signed by Gerry and King.

[1] See Massachusetts Delegates to James Bowdoin, October 17, note 1.

[2] Apparently Pennsylvania's "Act to prevent the erecting any new and independent State within the limits of this Commonwealth" adopted December 3, 1782. *Laws Enacted in the Seventh General Assembly . . . of the Commonwealth of Pennsylvania,* Chap. XLV, pp. 121–23. DLC(ESR). The act was amended August 31, 1785, to repeal the section of the act permitting "trial for offences in another county, than that in which the offence was or might have been committed." *Laws Enacted in the Third Sitting of the Ninth General Assembly of the Commonwealth of Pennsylvania,* Chap. CCXV, pp. 589–90. DLC(ESR).

Massachusetts Delegates to Massachusetts Assembly

Gentlemen, New York 27th. Oct. 1785

A letter from the Delegates of the 27th of May states to the honorable Legislature a number of Difficulties relative to the conduct of some of the States concerning the former Requisitions of Congress, and the want of a fixed and equitable Rule for apportioning future Demands upon the States.[1]

In a subsequent Letter of the 23d of August we remarked that we had endeavoured, when the requisition of the present year was under consideration, to have it so formed as to give a Security against the future delinquency of the states, and prevent the application of monies by particular states, required, and raised for the sole disposition of Congress. In the course of this business the many embarrassments of the Union, in consequence of the defective compliances with the requisitions by some States, and the total neglect of the same by others, were minutely examined, and on the conclusion the general Sentiment was, that the States must, and would make exertions not only to discharge former demands, but to comply with the Requisition of the present year.

The Requisition being transmitted by the board of Treasury,[2] will fully explain our Sentiments upon this Subject; its great operation by discount, will certainly be favorable to Massachusetts and the other Eastern States. Upon examination it will be found that in the present requisition the Rule of apportionment is changed—the alteration was the Result of a compromise, and is an abatement to Massachusetts of more than Fifty five thousand Dollars on her quota of the Second moiety of the Requisition for Eight Millions of Dollars.[3]

From these considerations, and that no act of Massachusetts might bear the appearance of a denial of constitutional Support to the Confederacy, we wish the Requisition of the present year may not only meet the Approbation of, but be adopted by, the honorable Legislature; for whom we entertain the most perfect Respect, and have the honor to be with the highest consideration their Obedient servants,

E Gerry

Rufus King

[*P.S.*] The residence of Mr. Holten being on Long Island, which prevents his being in the City before the usual hour of the daily meeting of congress, we are often as on this occasiond unable to obtain his signature, without the delay of a post.

RC (MB: Chamberlain Collection). Written by King and signed by King and Gerry. Addressed: "Honorable President of the Senate and Speaker of the H. of Representatives of Massachusetts."

[1] This letter has not been found, but King devoted much of his letter to Gerry of that date to the same subject.

[2] See *JCC*, 29:765–71, 776.

[3] Although the 1784 requisition had been set at $8 million, the states had been asked for but ½ of their quotas, which for Massachusetts had been $653,798 (of $1,307,596), or 16.34% of the whole. For the 1785 requisition of $3 million, however Massachusetts' quota was only $448,854 or 14.96%, the equivalent of a quota of $598,798 in a requisition of $4 million, or $55,000 less than Massachusetts' 1784 quota. Cf. *JCC*, 26:194 and 29:767.

David Howell to William Greene

Sir New York Oct. 29, 1785.

From a variety of obstructions the requisition for the supplies of the present year did not pass 'till the 27 Ult. I presume it has been officially communicated to your Excellency—And hope that the principles of it will meet with the approbation of the Legislature.[1]

I learned with pleasure & took the earliest opportunity to announce to Congress that the Genl. Assembly at their August Session ordered a tax of £20,000 subject to future appropriations. This readiness to comply with, or more properly to provide for beforehand, the *Constitutional* demands of Congress could not fail to make a good impression on our Sister States. I wish it may also be the ambition of every citizen to furnish an example of punctuality in the payment of taxes for Fœderal purposes—As a motive hereto it may be observed that a large ballance of the Sum called for to pay domestic interest must ultimately come into the pockets of our citizens. By late Letters from the westward there is reason to expect that the Troops sent there will be able to effect the objects of their instructions—that the lands purchased of the Indians at the late Treaties will be secured from intrusive settlers—surveyed & exposed to sale in due time—and prove an important fund for extinguishing the domestic debt.

It is to be presumed that the Commissioners are now in Treaty, at the mouth of the Great Miamis, with the more westerly Indians for peace & the purchase of additional territory: But, for certain reasons, it is difficult to conjecture the result of their negotiations on the latter Subject.

Letters from Mr. John Adams, have come to hand as late as the 10th of August last; & he makes no mention of an Algerine war with the U. States.[2] He has laid a project of a treaty of Commerce before the British Minister. It is feared that our Ministers abroad will not be able to obtain very beneficial Treaties of commerce 'till Congress shall be armed with more efficient powers on this Subject: But in confering these powers a distinction betwixt the power of regulating trade & that of raising a revenue from trade must be carefully preserved. The former perhaps may be exercised by Congress with safety; the latter

ought to be tenaciously retained by the particular States. But, tho' our Ministers may not succeed on this head agreeably to our wishes for want of power to make effectual Stipulations on our part, or to give a *quid pro quo*—we have the Satisfaction to receive repeated proofs of the good disposition of our friends in Europe, & of a growing esteeme & respect for the U. States throughout the World.

The hope that I should return in time to attend the present Session of Assembly has prevented my writing before (& I now write in great haste) and indeed the uncertainty of continuing in our Seats since May has constantly held up to us the probability of a return—and, together with the want of materials, rendred my communications less frequent & less copious than usual. The ultimate point of time to which the present delegation extends will arrive this day Se'nnight; and I must be excused for pressing the necessity of sending forward a delegation to represent the State in the next Congress at an early day.

I shall avoid entering at present on several interesting Subjects; & content myself with the prospect of making known my Sentiments fully thereon at the next Session of Assembly, when I hope to be present: But as this will probably be my last official Letter I cannot conclude without offering my most sincere thanks to the State for the repeated proofs of their confidence in appointing me at three successive Elections to the elevated Station I now hold in their Service—and to your Excellency, and to his Honor the Dep. Governor for the many instances of your attention & friendship to me. I must rely on the candour of my Constituents to cast a friendly veil over the errors & mistakes, if any, I may have committed, & to impute them to my want of experience, if not of abilities too, in political affairs—while I assure them that to the extent of my capacity I have pursued the interest of the State, which honoured me with its commands & if the U. States, without consulting my private interest, or that of my particular friends—or becoming subservient to the sinister view of any man, or of any faction. And I now call upon my enemies, if such I have, as well as my friends, to charge me, if they can, with having solicited, during my official Existence, either directly or indirectly for an office for myself either under Congress, or under the State. It is to me a pleasing prospect that I can now retire from office to the humble condition of a common citizen, with clean hands & a clear conscience.

I do not hold myself personally responsible to the public or to individuals for the propriety or success of such measures as I have forwarded in pursuance of the views of the State; Yet I must observe, in justice to my own feelings, that time & investigation have convinced many of their propriety & given them success, & even that success, a powerful argument, has removed the doubts of others, & removed too from my Shoulders a load of ill will which otherwise might have followed & oppressed me even in a private Station.

I pray your Excellency to present my dutiful respects to the Hon. the Genl. Assembly—and to assure them that in every Station in life I shall retain a grateful attachment to the State of Rhode Island—And be always ready to contribute my feeble mite to advance the happiness of its citizens.

With every sentiment of personal esteeme for your Excellency, I have the Honor to be, your Excellencys most obedient & very hble Servt., David Howell.

⟨*P.S. Dep. Gov. Bowen will doubtless inform the Assembly that I have been under the necessity of drawing on him for 200 Dollars. I hope it is paid before now & that the Hon. the Genl. Assembly will excuse me for wishing for an order to receive the small ballance which may be due to me at an early day as it will be very necessary to repair my little plantation & put me in a way to support my family.*⟩

I am sorry to send a Letter so illegible but neither time nor patience suffer me often to copy.

N.B. I have enclosed the 3 N. papers of the day tho' they contain nothing of much consequence.

RC (R–Ar: Letters to Governors).

[1] See Charles Thomson to James Bowdoin, October 7, note 2.

[2] According to Secretary Charles Thomson's Dispatch Book, letters from Adams to John Jay of August 6 and 10 were received on Ocober 28, but his intervening August 8 letter was not received until the 31st. See PCC, item 84, 5:585–604, item 185, fol. 144; and *Diplomatic Correspondence, 1783–89,* 2:421-30.

Rufus King to James Monroe

My dear Sir, New York 29th. Ot. 1785

I hope this will meet you at Alexandria unless the original should fall into your hands at Fredericksburgh,[1] to which place it was directed and to the care of General Weeden. Somehow or other I hope you will be informed of our disappointment in meeting the fœderal court this autumn at Williamsburgh. I should regret it indeed, if in addition to your fatigues you should make an unnecessary Journey to Williamsburgh. We are obliged to postpone, because we have no answer to any Letters to Judge Fleming, and because Mr. Johnson of Maryland has declined meeting in Nov. at WmBurgh. The Agents have joined in soliciting Mr. Johnson not to decline at a future time, and have sent on a join[t] letter to Mr. Fleming importuning his answer of acceptance[2]—the difficulties we meet with are almost insuperable, if Mr. Fleming declines, we shall again be at Sea. We have taken

early precaution to notify the several Judges of this Delay and hope they will not be destitute of the Notice.

This Event will hasten your return here, a circumstance which will give me very sensible & real pleasure. Poor Hardy—but I cannot say a word upon this unexpected and fatal Stroke.

Don't stay in Virginia—hasten here. Adieu, you know my friendship is sincere, R King

RC (NN: Monroe Papers).

[1] See Massachusetts and New York Agents to George Read, et al., October 12.

2. These letters have not been found, but see the following entry.

Richard Henry Lee to Thomas Jefferson

Dear Sir New York October the 29. 1785

My ill state of health having compelled me to look for benefit from the medical springs lately discovered in the vicinity of Philadelphia, I there received the letter that you did me the honor to write me on the 12th of July[1]—but tho Mr. Houdon arrived there with Dr. Franklin when I was in the city, the former of these gentlemen did not deliver your letter to me, but it found me thro the medium of the Post. I have not yet seen Mr. Houdon, nor has he been in any manner before Congress that I know of—he went immediately after his landing to General Washington, from whence I understand that he returned to this City a day or two ago, but I have not yet seen him. Your request, independent of his singular merit, will secure him every civility and service in my power. I think that you have cause, from your statement, to complain of the remissness of your Correspondents. Were I not prevented by the unhappy state of my health, most certainly I should be more attentive to gratify you in a way that certainly must be very agreeable to you, sequestered as you are from your own Country. I think that we have reason to suppose that the requisition of this year (which with the plan for surveying & selling part of the Western lands I have now the honor to enclose you)[2] will produce, at least a sufficiency to pay with credit the interest of our foreign debt and to support the expences of the federal government. The unliquidated state of the domestic debt, and the unequal business of the facilities may perhaps obstruct for the present, the payment of the domestic interest. I understand the displeasure of the Commissioners of the Treasury arose from Mr. Grand's failing to comply with orders given him to pay the interest due to the Crown of France which has created uneasiness and doubt of our punctuality where these would not have existed had Mr. Grand not undertaken to pay himself instead of the Government. However, I suppose that the Commissioners will take care to

make good the payments omitted by Mr. Grand to have been made to Government. Vermont remains as it was, and we have heard nothing lately concerning Franklin.[3] The Virginia Assembly are agreed, so far as I know, to indulge Kentucky provided it shall be agreeable to the U. States to receive them into the Confederacy so that they may for every purpose be a part of the general system.[4] A proposition is depending before Congress to declare the sense of the Union against all future dismemberments without the consent of the State to be dismemberd and of the United States.[5] Concerning your idea of packets I have spoken to some Members—the expence alarms, & they seem rather to approve of sending on occasion a Courier in the packets as they now are. But since a plan has lately been adopted for sending the Mails by Stages instead of Post Riders, which will not only quicken communication greatly, but very much increase the Post Office Revenue, I hope that Packets as well as Cross Posts may e'er long be supported.[6] We have lost poor Hardy who dyed here after some weeks illness. The Surveyors are now at work (under the Ordinance) N. West of Ohio, and a Treaty with the Western Indians is holding at Great Miami. Our Assembly is now in Session, but we have not heard whether Harrison or Tyler has got the Chair,[7] but certainly the contest will have been warm & pretty equal. My Presidential year ends in 9 days, after which I shall return to Virginia for some months at least; my return to Congress will depend on the state of my health which is better indeed, but far yet from being as I wish it. Let me be where I will I shall always be happy to hear from you and to give you the news of our Country such as it may be. My brother Arthur Lee being resident here as one of the Commissioners of the Treasury of the U. States, will receive your letters for me and forward them to Virginia. I shall esteem it a very particular favor if you will be so good as send me one of the newly invented Philosophical Lamps which I understand to be handsome, useful, and œconomical; employing a small quantity of oil to great advantage in giving light. I will either thankfully repay the cost to your order in Virginia, or remit it to you in France thro the medium of my Brother Arthur from this place. I suppose that you may contrive it by one of the french packets to my brothers care in this City. And it will add to the favor if you accompany the Machine with a description of its use.

I am dear Sir, with sentiments of the sincerest esteem and regard, your most obedient and very humble servant,

Richard Henry Lee

P.S. Remember me if you please to Mr. Short & tell him that I answerd immediately the only letter that I have had the pleasure to receive from him. R. H. Lee

RC (DLC: Jefferson Papers).

[1] See Jefferson, *Papers* (Boyd), 8:286–88.

[2] See *JCC*, 28:375–81, 29:923.

[3] That is, the western state of Franklin, for which see Richard Dobbs Spaight to Richard Caswell, June 5, note 1.

[4] See William Grayson to James Madison, August 21, note 5.

[5] Representing the interests of the landed states, Massachusetts and Virginia had moved on October 7 that a committee be appointed to report Congress' "highest disapprobation" of the conduct of "districts" in the United States that sought independence without having first obtained approval from those states exercising constitutional jurisdiction over them. The intended report should specify Congress' intent to support every state "opposing such unconstitutional attempts to destroy the fundamental principles of the Union." David Howell of Rhode Island thereupon moved for postponement of the motion in favor of a committee appointed to report an additional article to the Confederation empowering any nine states in Congress to admit new states into the union on terms to be specified "provided that the legislature of the state to which such a district may belong, shall join . . . in an application to Congress." Howell's move failed and on October 12 Congress appointed a grand committee to consider the Massachusetts and Virginia motion. The following day, however, Howell, William Ellery, and William Samuel Johnson tried to revive Howell's original motion but were ruled out of order. Howell then amended his motion, eliminating the section empowering nine states to admit new states, which was also defeated. But the grand committee on the Massachusetts–Virginia motion failed to report and on March 10, 1786, it was replaced by a new committee that finally reported on the 24th when it declared that Massachusetts and Virginia were bound by the original conditions of their cessions and were further bound by the resolutions adopted on April 23, 1784, although recommending clarification of those resolutions by the repeal of specific sections. See *JCC*, 26:275–79, 29:810–12, 822–23, 826–28, 30:112n, 133–35; and PCC, item 190, fols. 72, 88.

[6] See William Grayson to James Madison, August 21, note 4.

[7] That is, as speaker of the House of Delegates.

Elbridge Gerry and Rufus King to New York Agents

Gentlemen, Saturday Eveng. 29th Oct. 1785

We inclose with our Signature the letter to Mr. Johnson, and also one, which we propose to Mr. Fleming; if agreeable you will please to sign and return the latter to us.[1] Mr. Duane proposed forming the Draft of a certificate to be made to Congress,[2] this must be executed without delay, as the convention of the States after next week will be uncertain for some time. This business is understood by us to be grounded upon your admission of the acceptance of Mr. Sitgreaves although out of Time, and upon Williamsburgh's being the place for holding the Court, at such Time as we may hereafter jointly agree, or Congress appoint in case of our disagreement. We are Gentlemen, Respectfully, your humb. servts.

E Gerry

Rufus King

RC (NHi: James Duane Papers). Addressed: "Honble Agents of New York." Written by King and signed by Gerry and King.

[1] James Duane and John Jay apparently refused to agree to sending such a letter.

[2] For this November 1 "certificate" of the Massachusetts and New York agents, and Congress' action upon it the following day (reaffirming its call for convening a court at Williamsburg to determine the western lands controversy between the two states "upon such future day as the parties . . . shall mutually agree upon"), see *JCC*, 29:865.

Richard Henry Lee to the Marquis de Lafayette

New York, 30th October, 1785.

I thank you, my dear marquis, for your very affectionate letter, by Mr. Houdon; that gentleman arrived in Philadelphia, and proceeded immediately to Mount Vernon; he has been ever since with General Washington, so that I have not yet had the pleasure of seeing him in this city. It is very happy for America, that events of such high importance should have taken place here as to invite artists, of Mr. Houdon's great reputation, to visit us. I hope that he will find every thing here agreeable to his wishes. As I take strong part in every thing that conduces to your happiness, so I have contemplated with pleasure, the great satisfaction you must have received at the review of those excellent troops of the emperor and of Prussia. A philosophic mind is apt, however, to regret that such fine exertions of human art should so often be employed for the destruction of the human species. I will comfort myself here by hoping, that these will be used to suppress and control, not to promote the bad purposes of ambition. It raises high the glory of Louis the Sixteenth, that his reign has been so eminent for promoting the good of mankind, whilst sovereigns in general, employ their power to increase the miseries of human nature! Will it not happen, during the reign of this glorious monarch, that those lawless pirates, upon the African coast of the Mediterranean, will be compelled, by some proper system, to respect the rights of men, and the laws of nations, instead of receiving annual stipends for not doing what it is really infamous to do. I mean roaming about to injure, oppress, and destroy, their unoffending fellow creatures. Among the many leagues that are formed, why may not one be made for the purpose of protecting the rights of humanity. I hope, sir, that you have not forgotten your design, again to make us happy, by your return to these United States.

I have the honour to be, with sentiments of the highest affection and friendship, my dear marquis, Your most ob't and very humble serv't. Richard Henry Lee.

Not found; reprinted from Richard H. Lee, *Memoir of the Life of Richard Henry Lee*, 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:68–69.

Samuel Holten to James Bowdoin

Sir, New York, 31st Oct. 1785.

Last evening I was honored with your Excellency's address to the delegates of the 24th inst. with the enclosures, but being indisposed, I have not had an opportunity of seeing my colleagues since, however, I thought it adviseable to notice, that part of your letter, that mentions, Congress's appointing "a thanksgiving day." I am sensible, that, in the course of the late war several such days were recommended by congress, but, as it has not been usual, formerly, in any of the states southerly of Connecticut, as I am informed, to appoint such days, I beleive no person here expects it to be done by congress this year, for I consider it uncertain whether there will be any business done this week for want of a representation of seven states,[1] & when the new congress will meet, depends upon the arrival here of a sufficient number of the gentlemen chosen.

I took notice, in your Excellency's letter to the delegates, you were pleased to mention a letter you had received from me.

With the most perfect consideration & respect, I have the honor to be, your Excellency's, most obedient servant, S. Holten[2]

RC (PHi: Dreer Collection).

[1] The Massachusetts delegates repeated this explanation in their next official letter to Bowdoin, with the observation that in addition to having but seven states in attendance, "one or two of them" were against the measure. See Massachusetts Delegates to Bowdoin, Novemher 2.

[2] Holten also wrote the following letter on October 29 to Joseph Hall at Boston in anticipation of his return home.

"I have often had it in my thoughts to address you, since I left home, but the multiplicity of my engagements, I hope will apologize for me.

"I expect, by the leave of providence, to be at Boston about the 25th of Novr. on my way home, & as business will require my tarrying in Boston several days, therefore, I have to request, that, you would present my most respectful compliments to Mrs. Hall, & ask her to favor me with lodgings at your house, which will lay me under renewed ohligations." Holten Papers, DLC.

Elbridge Gerry to Samuel Adams

My dear Sir New York 2d Novr 1785

The petition inclosed in your Letter of the 23d of Octr I have layed before Congress, who have referred it to the Board of Treasury. As the Time of the present Congress expires in a few Days, I have communicated your Letter to Mr King who is well acquainted with the Matter & will attend to the Report when made.[1] I hope to have the pleasure of

seeing You within a Month & remain Dr Sir, with Esteem & Respect, your affectionate Friend, E Gerry

RC (NN: Adams Papers).

[1] Adams' letter to Gerry is in the Conarroe Collection, PHi. The enclosed petition was undoubtedly that of "Benjamin Pierce late Gunner of the Continental Frigate *Alliance*, for himself, and in behalf of a Number of the late Officers and Marriners of said Ship, When under the Command of Captn Peter Landais," which is in PCC, item 42, 6:375–78. It is endorsed "Read May 22. 1786. Referred to the Board of treasury to report. Acted on June 7th 1786." According to Secretary Thomson's Committee Book, it was originally referred to the board of treasury November 1, 1785. PCC, item 190, fol. 75.

In his letter to Gerry, Adams explained that he had known Landais "from his first Arrival in America and think him an inflexibly honest Man." Adams also referred to an earlier petition of Landais to Congress which had been referred to a committee chaired by Rufus King, and asked "whether in the late adjustment with Capt Landais *he* should have been put upon the same footing with them," for which see Richard Henry Lee to Adams, March 14, 1785, note 1. A third, earlier undated petition concerning wages due those who served on the *Alliance* is in PCC, item 42, 6:101–4.

Rufus King to John Adams

Sir, New York 2d Nov. 1785.

A confidential intimacy with our common friend Mr. Gerry, with whom I have served during the last year has given me full information of the correspondence which has lately passed between you and him: and it is in consequence of a Sentence in your last letter to Mr. Gerry, that I take the Liberty of addressing this to you—if Mr. Gerry remained in Congress, I should suppose that the communications which I might make, would not be worth the Trouble of your perusal—but in his absence from Congress, it may be convenient that you should know the Opinions entertained by this body, relative to the Object of your Legation, and other Subjects important to America.

If in communicating this information, I shall have not only the honor of corresponding with a great minister, but also the satisfaction of serving my country, I cannot want motives to proceed.

The Sentiments uniformly expressed in your Official Letters to the Secretary of foreign affairs, since your Residence at London, meet correspondent Opinions in all the States eastward of Maryland. You very well understand the false commercial reasonings, and ill founded policy, of the other States: their present conduct, will hereafter be the cause of bitter regret. The navigation Act of Massachusetts[1] you undoubtedly will have seen before this reaches you. New Hampshire has passed a similar Law, & other States probably may follow their example; yet granting that the measure will not become general, still the confederation has put it in the choice of the Seven or Eight Eastern States to become great commercial powers. Even admitting what is af-

firmed in England, that the Southern and Eastern States cannot agree in any System of commerce which will oppose to G. Britain commercial Disadvantages similar to those which she imposes upon our commerce and navigation, yet the Eight Eastern States can agree; they have common objects, are under similar embarrassments, would vest adequate powers on Congress to regulate external and internal commerce; and in ease the Southern states *decline,* to vest similar powers in Congress, or to agree in some uniform system, the former by the Confederation *are competent* to form, and in the Event must form, a sub confederation remedial of all their present Embarrassments.

This is a matter that will be touched with great delicacy; the subject is better and better understood every day in America, for it is the general conversation and examination. You Sir, know your country men, you have witnessed their enterprize and Resolution under superior Difficulties. Will they suffer their commerce to languish and expire? will not the Spirit which dictated the non importation Agreement, & which once pervaded these States again appear? it still exists, and though it may have slept for a Time, it can again be roused; and if once more it becomes vigilant, and can be made active by the pride of independence and the idea of national honor and Glory, the present embarrassments of Trade, and the vain sophisms of Europeans relative thereto, will not only direct, but drive America into a System more advantageous than Treaties and Alliances with all the world—A System which shall cause her to rely upon her own ships, and her own mariners, and to exclude those of all other Nations. I will not add—be pleased to esteem this as introductory to such opinions prevailing here, as future safe opportunities may authorize me to communicate. If a stranger can without impropriety offer his homage to a Lady of distinguished merit, I pray that you will please to make mine acceptable to Mrs. Adams; for whose happiness, together with that of Miss Adams her Companion & daughter, I entertain the warmest wishes—and have the honor to be with perfect respect, & consideration, Sir your most Obed. servt., Rufus King

RC (MHi: Adams Papers).

[1] See Massachusetts Delegates to James Bowdoin, August 23, note 5.

Massachusetts Delegates to James Bowdoin

Sir New York 2d Novr 1785

We are honored with your Excellency's Letter of the 24th of Octr inclosing two others for his Excellency the president of Congress, which We have carefully delivered him.[1]

We observe your Excellency is of Opinion, that if in the Union there is the Operation of such discordant principles as make it hazardous to entrust Congress with powers, necessary to it's well being, the Union cannot long subsist. This Opinion is perfectly coincident with our own, & We flatter Ourselves, it does not militate with the Ideas expressed in our Letters of the 18th of Augt & 3d of September, for We still have Reason to conceive, that the best & surest Mode of obtaining such An Addition to the powers of Congress as is necessary to the well-being of the Union, is to make the powers temporary in the first Instance, & when approved by Experience, to adopt them as part of the Confederation: & We likewise conceive that if a Convention of the states, is necessary on this Occasion, the Members thereof should be limited in their Authority, & confined to the revision of such parts of the Confederation as are supposed defective, & not entrusted with a general Revision of the Articles, & a Right to report a plan of fœderal Government, essentially different from the republican Form now administered.

We suggested to Congress the propriety of recommending to the States a general Thanksgiving but as there were but seven States on the Floor & one or two of them against it, the Measure could not be adopted.

We have the Honor to be sir with perfect Respect your most obedt & very huml serts., E Gerry.

Rufus King

RC (NNPM: Signers of the Declaration). Written by Gerry and signed by Gerry and King.

[1] Bowdoin's letter is not in the PCC, and the two enclosures for President Lee are not identified, although one of them may have been Bowdoin's October 18 letter to Virginia governor Patrick Henry, which is concerned with some of the problems and principles of federal union mentioned here by Gerry. See *Bowdoin and Temple Papers* (MHS Colls.), 6:76–78.

Charles Thomson to Thomas Jefferson

Dear Sir. Newyork Novr. 2. 1785

I have received your several favours of Feby 8, June 21 and July 14[1] and also a copy of your Notes by Mr Houdon,[2] for which I am much obliged. It grieves me to the soul that there should be such just grounds for your apprehensions respecting the irritation that will be produced in the southern states by what you have said of slavery. However I would not have you discouraged. This is a cancer that we must get rid of. It is a blot in our character that must be wiped out. If it cannot be done by religion, reason & philosophy, confident I am that it will one day be by blood. I confess I am more afraid of this than of Al-

gerine piracies or the jealousy entertained of us by European powers of which we hear so much of late. However I have the satisfaction to find that philosophy is gaining ground of selfishness in this respect. If this can be rooted out, & our land filled with freemen, union preserved & the spirit of liberty maintained and cherished I think in 25 or 30 years we shall have nothing to fear from the rest of the world.

Mr Houdon has been to Mount Vernon & taken the Bust of our Amiable General. He exhibited it to the view of Congress. It appears to me to [*be*] executed in a masterly manner. I acknowledge my want of skill to judge of performances of this nature. But there is in the air and attitude of this something that pleases me. Most other pictures seem to have their attention turned on the objects around them; but in this the Artist by elevating the chin and countenance has given it the air of one looking forward into futurity. But I will not venture any criticisms for fear of betraying my ignorance. Our good old friend Dr. F is arrived safe and well and honoured with the chair of President of Pensylva. All parties concurred in the choice, I hope it will be comfortable as it is honorable. As to matters within my circle they jog on as usual. Though many occurrences have happened which would be subject of conversation, there are few worth troubling you with in a letter. As to public matters I take it for granted you are well informed through the proper channel. You see by the journal that the duties of my office are much enlarged.

I am with great esteem & regard, Dear Sir, Your affectionate friend & Servt, Cha. Thomson

RC (DLC: Jefferson Papers).

[1] See Jefferson, *Papers* (Boyd), 7:645, 8:245–46, 295.

[2] That is, Jefferson's *Notes on Virginia,* for which see ibid., 8:295n.

Samuel Holten to John Avery

Dear Sir, New York 3d. Nov. 1785.

Yesterday, I was favoured with an address, dated "Boston Oct. 27, 1785," which I conclude came from you, 'tho' it was not honored with your signature.

I have observed the contents, but it appears to me Mr. Walcut must have mistaken the resolution of congress in his favor, to suppose, that, Mr. Pierce is to pay him,[1] I take it, his application must be to the commissioner for settling the accounts in the hospital department, who I take to be one Mr. Fox, he has held his office in Philadelphia, but I hear is about removing to this city; I should suppose most likely may be in Boston sometime hence; & will it not be necessary, that, Mr. Wal-

cut should make out his account for the time he served with the vouchers to support it.

I have not been so happy as to see Mr. Simpkins, & did not know but he had returned to Boston.

Please to assure Mr. Walcut, if there was any further services I could render him it would give me pleasure.

I remain, with perfect respect, your obliged friend & humble servant, S. Holten

RC (MWA: Thomas Wallcut Papers).

[1] For the resolution about which Thomas Wallcut was mistaken, see *JCC*, 29:776; and Holten to Wallcut, October 3, note.

Rufus King to Caleb Davis

Dear Sir, New-York 3d. Nov. 1785

It gives me pleasure to learn that the Report of Mr. Jay concerning certain clauses in the navigation act of Massachusetts came to hand seasonably, to throw some light upon that Subject.[1] I will not pretend to give an opinion relative to the policy or wisdom of the law—if the principle is good, the small errors pointed out by Mr. Jay, may be easily rectified. The extract you was good enough to inclose me corresponds with the uniform official communications of the writer. There is nothing more evident than that not only Great Britain, but France are jealous of the commerce, enterprize, and probable naval importance of the United States; and notwithstanding the *apparent* opposition between these two countries, it would not be surprizing if they united in advancing each the commerce of the other, if thereby they could suppress or injure the commerce of America. England is less jealous of France than of America. The twenty propositions of the Minister Mr. Pitt for a union with Ireland bear strong features of a Jealousy of America. Ireland now enjoys a free trade. She can admit at her pleasure the Ships, Products and manufactures of America and of Other Countries. England is eagle-eyed upon the subject. She wishes to make Ireland a part of Great Britain, and to regulate her trade—for the twenty propositions are to be *fundamental Articles;* they are to form a constitution, which is to remain superior to any future laws of either Country. Ireland evidently sees through the Policy—and I hope will effectually defeat the System which is more a combination against America, than A plan of commercial advantage to Ireland or England.

What ought to be the line of conduct in America is not difficult to discover: but what will be her Conduct is wholly conjectural. If Amer-

ica could only rouse the spirit which dictated the non importation Agreement, and would universally restrain her commerce to her own ships and Mariners, although the embarrassments would be at first, and for a time very considerable, yet a remedy would soon be furnished by the great number of ships, which would be built, and the multitudes on [of] men who would become mariners. How far these events, so much to be desired, will take place, by partial measures, and sacrifices, of individual states, is somewhat difficult to determine. But even admitting that the Southern and Eastern states cannot & will not soon agree in vesting powers in Congress to regulate external and internal commerce, and that the measure will not be effected by uniform Acts passed by the several States—yet the Confederation admits of Alliances between two or more States, provided *the purpose and duration thereof* are previously communicated to, and approved by, Congress. The seven Eastern states have common commercial interests, are under similar embarrassments, would vest power in Congress to regulate Trade, and are competent to give the Approbation of Congress to such sub-confederation, as they might agree upon, and which would not only remedy all their Difficulties, but raise them to a degree of power and Opulence which would surprize and astonish. Politicians in Europe see it, and fear it, more than we appear to wish it.

I would not be understood to give any Opinion relative to the Massachusetts Act, for, or against the principle or policy, of it. I have given no Opinion concerning it to any one—neither have I given an Opinion, that if Congress had the power to regulate Trade, that they would be without the Disposition to do it. I sincerely wish they had the power; if they had, something would certainly be done which would be worthy of Execution, and remedial of present perplexities. But I have my doubts whether the Southern States will relinquish their partial, and unfederal, policy concerning commerce, until they find a decided disposition in the Eastern States to combine for their own security—the moment that this Disposition is evident, the southern states will sensibly feel their weakness, and accede to such measures as may be adopted by the majority of the Confederacy.

You very well understand the Character of our country men, they will bear and suffer for a time; but there is a point below which they will not sink; The Difficulties we now suffer will cure themselves, the spirit for reform will become, nay it daily is becoming more and more, general through all the States. The remedy must be waited for with *some degree* of Patience. This language will not bear to be communicated—you know whether it is founded in the nature of our Governments, or not—at any rate I do observe it *in confidence*. Some men think that political Dificulties may as readily be rectified as those of a domestic or private nature; but they understand very little of the Genius of the several states composing this confederacy. The nature of

our Governments renders every reform, or alteration, not only difficult, because our local, or State, interests are sometimes in Opposition, but subjects it to tedious Delays.

But Sir, I will not add upon this subject. We are anxious for the Opinion of the Legislature relative to a convention for a general revision of the Confederation—the Delegates here are of opinion that the Confederation wants additional commercial powers, and some other additions or alterations—but if once a power is brought into existence under authority of the States, who may generally revise the Confederation, farewel to the perfect Republican plan.

I will trouble you one moment longer—whoever the Delegates from Massachusetts may be, they ought for the interest of the State *to be together;* if they have that interest in view they will wish it. On this Subject, I will observe to you, that I wish the Legislature would authorise by a Resolve their Delegates to take a house furnished (or if unfurnished, to furnish it) *at the expence of* the State—to the end that they might live together. I say at the expense of the State; the pay allowed the Delegates will not *allow them* to do it. Mr. Gerry & myself have lived together, *and at board.* I assure you that the allowance of the State will not bring the year about—the Sum of house Rent to the State would be inconsiderable. Other States give enough to their Delegates to enable them to hire houses, and to live independently of private family arrangements and perplexities. I would not mention this to the court, lest they should think I have some thing of profit in view—if you think the idea would be approved by the Court, and you also think it just, perhaps you may move it; but I pray I may not appear in it. I can in the next year, as I have in the past, spend my own money in the Public Service—the allowance from almost every state in the Confederacy exceeds that of Massachusetts from twenty to sixty per Cent.

Pray excuse me for mentioning this subject—I will never trouble you or any other man with it in future. I have written on this, as on more important subjects, with great hurry, but entire sincerity.

With perfect Esteem & Respect, Your Obt. servt.,

Rufus King

RC (MHi: Davis Papers).

[1] For this report, see Richard Henry Lee to Unknown, October 10, note 5; and King to Davis, October 17, note 1.

Charles Thomson to Nicholas Van Dyke

Sir, Office of Secretary of Congress, Novr. 3. 1785

I have the honor to transmit to your Exy. herewith enclosed an Act of the United States in Congress assembled, whereby it is recom-

mended to the State of Delaware to settle the accounts of Mr W. Popham late a capt & aid de camp in the service of the United States, agreeably to the resolve of Congress of 21 Feby 1783, a copy of which is also enclosed.[1]

With great respect, I have the honor to be &c, CT

LB (DNA: PCC, item 18B). Addressed: "His Exy the govr of the State of Delaware."

[1] For these enclosures and William Popham's petition for depreciation pay, see *JCC*, 24:144, 28:231–32n, 29:620n, 805n, 838; and PCC, item 42, 6:314–17.

Samuel Holten to Diego de Gardoqui

Friday 11 o'clock [November 4, 1785]

Dr. Holten presents his most respectful compliments to his excellency Mr. Gardoqui, & acquaints him he had heard of his invitation to several gentlemen, & concludd. there might be some mistake if the invitation was genl. as he was sure Mr. Gardoqui, was not wanting; but such is the State of Dr. Holten's health he can't do himself the honor & pleasure of dining with him to day.

FC (MHi: Holten Papers). In the hand of Samuel Holten.

Charles Thomson to Benjamin Franklin

Dear Sir, New York, Novr. 5. 1785.

Permit me with the silence & sincerity of an old friend to congratulate you on your present promotion.[1] I hope and trust you will be able by your prudence to allay the heats & temper the ferment of parties and direct their attention so as to promote the public felicity and render your administration comfortable & happy.

I received your letter by your Grandson. By some expressions when he took his leave I find it is his wish to be employed in some public Office abroad.[2] It must be admitted that he has a well grounded claim from the time he has devoted to the public service and the knowledge he has thereby acquired. But I submit it to your consideration whether a seat in the national council for a year or two might not be a good preparative & the best Means of furthering his views.

With great esteem & respect, I am, Dear Sir, Your affectionate Friend & Serv, Cha Thomson

RC (PPAmP: Franklin Papers).

[1] That is, on his election October 15 as president of the Pennsylvania Council. *Pa. Council Minutes*, 14:557.

[2] Franklin's previous efforts to secure an appointment for his grandson, William Temple Franklin, had already stimulated strong opposition from his enemies, principally Arthur and Richard Henry Lee, and remained unsuccessful.

Massachusetts Delegates to James Bowdoin

Sir, New York 6th Nov. 1785

In addition to the information already given respecting the proceedings of congress, we are to inform your Excellency that the Agents of Massachusetts & New York, knowing that Governor Johnson, of Maryland, one of the Judges of the fœderal Court; had attended at Williamsburgh, and not meeting the Parties and other Judges there, had sent his Resignation to congress, and that no answer had been received from Mr. Fleming of Virginia another of the Judges, preferred a petition to Congress that a future Day might be appointed for the convention of the Court;[1] who passed a Resolution that the court shall be held at Williamsburgh on such future day as the Parties by their Agents may agree upon, & hereafter certify to congress: or in case of Disagreement, on such future Day as congress shall appoint, upon the Application of either Party.

The Agents of the two states joined in a Letter to each of the two Gentlemen, soliciting them to number themselves with the Judges.

It may be proper to remark to your excellency that the Agency of the Delegates in the institution of the federal court ceases with the present congress on this day. The Resolve joining the Delegates in the Agency for the institution of the Court, gave authority to such Delegates only, as were actually in Congress on a certain day. Those Delegates alas will not be of the next congress, and the Situation of the Controversy may render it expedient hereafter that the Commonwealth should have Agents at, or near congress.

The Delegates of New York & Massachusetts agreed on, and nominated, Col. Hutchins Geographer of the united States, Mr. Rittenhouse, & Doctr. Ewing of Philadelphia, as commissioners to run the eastern boundary Line of New York adjoining to Massachusetts. But the Delegates of Rhode Island disagreeing to an interference of Congress in this mode, and there being only seven states on the Floor, the business was postponed. But we doubt not but that an appointment of these Gentlemen will take place immediately upon the meeting of the new Congress.[2]

We have the Honor to be with the highest Respect, your Excellencys very humb. servts.,

E Gerry.

S. Holten

Rufus King

RC (MB: Chamberlain Collection). Written by King, and signed by King, Gerry, and Holten.

[1] See *JCC*, 29:865.

[2] For these appointments, which finally took place on December 2, see *JCC*, 29:898; and Massachusetts Delegates to Bowdoin, August 23, note 3.

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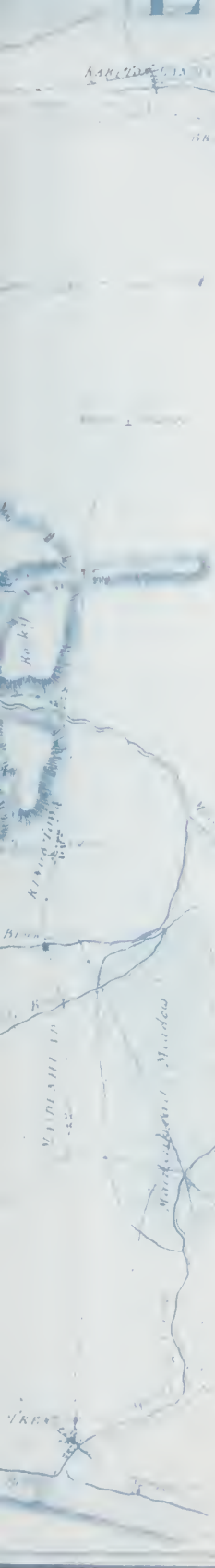
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